

References to former cases.

File No.

Brief title of file.

References to later cases.

File No.

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Keep-Withs printed.

Office notes and demi-official correspondence.

Keep-Withs not printed.

Nil.

1907

RAJPUTANA AGENCY

POLITICAL BRANCH.

Serial Nos. 1 to 19.

(Previous Index No. 382-Mewar.)

Grievances of the Rawat of Salumbar against Mewar.

(Jaisamand Rund.)

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RAJPUTANA AGENCY.

POLITICAL BRANCH.

NOTES.

GRIEVANCES OF THE RAWAT OF SALUMBAR AGAINST MEWAR.

(JAISAMAND RUND.)

Extracted from Notes to File regarding Matampursi.

FROM THE RAWAT OF SALUMBAR, PETITION DATED THE 1ST (RECEIVED 5TH) FEBRUARY 1907.

Stating his grievances against the Mewar Darbar.

2. The following is a purport of the Rawat's grievances:—

- * * * * *
- (iv) That the Darbar have stopped the irrigation of a number of his villages from the Jaisamand lake and reserved the hills in the villages belonging to the Thikana and have thus deprived the people of wood and grass.
- (v) That the land submerged by the Jaisamand lake belongs exclusively to the Thikana whose people cultivate the land when the water of the lake recedes but that for some time past an attempt is being made by the Darbar to include such lands in the Khalsa villages.
- * * * * *

3. The above petition was handed to the Agent to the Governor-General by the Salumbar Kamdar and Vakil on the 5th February 1907.

In this connection kindly see the translation of the Rawat's petition attached to the Resident's letter No. 412, dated the 23rd August 1906.

Serial No. 1, Matampursi case.

In our demi-official* letter, of the 29th November 1906, the Resident was told that Colonel Herbert agreed with him that no action need be taken in the matter of the Rawat's complaints until he had an opportunity of discussing Mewar affairs with the Agent to the Governor-General.

D. N. MODI,—13-2-1907.

4. I understand that Mr. Hill wishes Agent to the Governor-General to defer any action on this case for the present.

C. C. WATSON,—13-2-1907.

Agent to the Governor-General.

5. Yes, We had better write demi-officially to Mr. Hill and say that after discussing this case in connection with Mewar affairs generally with him, I propose to await a further report from him before dealing with Major Pinhey's letter No. 412, dated the 23rd August 1906. I shall hope to receive his report in six months' time.

Put up file again on the 15th August at latest.

E. G. COLVIN,—15-2-1907.

6. FROM THE RESIDENT, MEWAR, NO. 465, DATED THE 23RD DECEMBER 1907.

Serial No. 1.

Regarding the grievances of the Rawat of Salumbar:

7.

Extracted from notes to Matampursi case.

* * * * *

The Matampursi question is the main one and once that is decided, Mr. Hill thinks that the others will be settled without difficulty.

* * * * *

C. C. WATSON,—21-1-1908.

* Destroyed.

Agent to the Governor-General.

8. As regards the other questions involved it does not seem necessary for me to express any opinion at this stage—but I sincerely trust that the main question having been settled both sides will approach them in a conciliatory spirit and that a mutual arrangement will be arrived at. His Highness the Maharana having succeeded in his contentions on the main issue will no doubt be disposed to meet Salumbar's reasonable requests in a liberal spirit in minor matters.

E. G. COLVIN,—6-2-1908.

9. ISSUED No. 373-C., DATED THE 9TH FEBRUARY 1908.

Serial No. 2

10. FROM RAWAT UNAR SINGH OF SALUMBAR, KHAT, DATED THE 26TH MAY (RECEIVED 16TH JUNE) 1908.* Serial No. 4

Regarding his alleged grievances against the Mewar Darbar.†

11. The gist of this lengthy petition is that the Rawat feels hurt that notwithstanding his acceptance of the compromise effected by Mr. Hill regarding the Matampursi, the Darbar have made no move to settle the other questions. * * This is regrettable.

We may forward the Khat with its translation to the Resident with a remark that the Agent to the Governor-General trusts * * * that the rest of the Rawat's grievances will be settled on a fair and liberal basis.

The investigation of the case must occupy time and he cannot expect me to interfere while it is still under consideration.

E. G. COLVIN.

* * * We may acknowledge the Rawat's Khat and inform him that it has been forwarded to the Resident for disposal and that all future communications on the subject should be made to him.

H. B. ST. JOHN,—20-6-1908.

Agent to the Governor-General.

12. E. G. COLVIN,—20-6-1908.

13. ISSUED No. 328, DATED THE 28TH JUNE 1908, TO THE RESIDENT, MEWAR.

14. DEMI-OFFICIAL LETTER FROM THE RESIDENT, MEWAR, TO THE FIRST ASSISTANT TO THE AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED THE 6TH JULY 1908. Serial No. 5

I heard two days ago from the Maharaj Kumar that His Highness the Maharana had definitely settled that he was to go to Salumbar during the next fortnight. * * *

Under these circumstances I would respectfully suggest that the wish expressed by Mr. Colvin in paragraph 2 of your letter 328, dated the 28th ultimo should not be conveyed to His Highness more especially since there is every indication that the Rawat's other grievances will be settled in due course on a fair and liberal basis.

15. EXTRACT FROM DEMI-OFFICIAL LETTER FROM THE HON'BLE LIEUTENANT-COLONEL A. F. PINHEY, C.I.E., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, DATED THE 29TH NOVEMBER 1908.

I hope that all further trouble with Salumbar will now be avoided.

16. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, TO THE HON'BLE Mr. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED THE 9TH SEPTEMBER 1908.

With regard to the Rund of the Jaisamand Lake His Highness has told me that I can write to you that he means to carry out that part of Hill's note on the subject which runs:—

(I give the preceding sentences in order to explain the part in question: "It is clear that both by prescriptive right and by long practice, prior to the disintegration

* Extract from Matampursi case.

† Matampursi case.

of the Central authority in Mewar, the State rights to the whole Rund are not open to question; and therefore if the Darbar revoking all illicit encroachments had elected to resume the whole area of the lake upto the high water contour line as Khalsa, I should have been prepared to support him. The order, it is true, affirms the right; but")

"His Highness contemplates the issue of orders hereafter—

(a) for the exclusion of the portion assigned to Salumbar by the Maeturi-Sarari Boundary settlement, and

(b) for permitting as an act of clemency, the Jagirdars to retain certain areas which, in sambat 1932, they reported as belonging to them."

From my limited knowledge of the Salumbar disputes, I am inclined to hold that the only chance of ever getting the case disposed of—except by *compelling* the Maharana, against his will, to take a line of action in favour of the Salumbar contentions—is to say that we accept the opinions which Hill arrived at after a very full and patient inquiry into the facts of the case, and that we shall not further interfere in the smallest degree so long as His Highness' action is in harmony with Hill's written opinions on the disputed points.

If one begins to try to coerce the Maharana into going behind Hill's findings in any way, in Salumbar's favour he is certain to relapse into the state of discontent which was provoked by the attempts in 1905 to force him into making improvements of various kinds in the State Administration, etc.

As the Salumbar case is purely an internal one with which we really have no concern, I do not see at present, why we should not leave His Highness to deal with it in his own time and way, giving him advice when he asks for it, and keeping an eye open to see that he does not contravene Hill's findings in any important point. I think there is a complete change in the importance of the case and the extent of the difficulty in dealing with it, now that we can say to Salumbar: "The Darbar is right, and you must obey," when formerly we had to say to the Darbar: "Salumbar is right, and you must comply with his rightful claims and demands."

17. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, DATED THE 14TH SEPTEMBER 1908.

* * * * *

I have no desire whatever to interfere unreasonably but I should like to know what is going on. I have not seen Hill's note that you refer to on the Rund question, and have but the faintest idea of the ins and outs of the whole question. An outline of the dispute on this and other subject was given in the papers Hill sent me in the beginning, which I returned in original. I should be much obliged if you would kindly let me have a short précis of the dispute what has been done in regard to it since Hill took up the matter and a copy of Hill's note.

18. TELEGRAM FROM THE RAWAT OF SALUMBAR, DATED THE 15TH OCTOBER 1908.

Regarding aggressive encroachments made on the lands.

19. In this connection kindly see Mr. Holme's demi-official, dated the 9th September 1908, and Agent to the Governor-General's demi-official to Mr. Holme, dated the 14th September 1908.

Paragraph 16 *supra*.
Paragraph 17 *supra*.

E. W. KAMSIKA,—16-10-1908.

20. The telegram may be forwarded to the Resident, Mewar, for disposal. Perhaps the Agent to the Governor-General may wish to speak to Mr. Holme on the subject.

D. N. MODI,—16-10-1908.

Agent to the Governor-General.

21. I add two more receipts which may be brought on to the notes. The file should then be resubmitted.

E. G. COLVIN,—20-10-1908.

22. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, TO THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED THE 9TH OCTOBER 1908.

Paragraph 17 *supra*.

Please refer to your demi-official letter about the Jaisamand Rund case.

I submit an extract giving all the papers I can find in my file which bear upon the case since Hill took it up. Some of those papers have been printed, but it may be convenient for you to have them all together.

Hill's note of May 9th, 1908, is the last of the papers.

My brief note on the case shows what Hill's recommendations were, and what has been done in the case since he took it up. You will see that a definite order annexing the whole of the Run as Khalsa has been issued by the Maharana. My opinion is that we ought now to accept Hill's recommendations, and the Maharana's order, and to tell the Rawat of Salumbar, definitely and finally, that we do not propose to intervene in the case, as we admit His Highness the Maharana's right to declare, as he has done, the whole of the Run, to be Khalsa.

If, as I suppose is the case, we do not really intend to take any definite and effective action on Salumbar's behalf, or to upset a finding arrived at by an officer of Hill's calibre after months of patient investigation into this long-standing dispute, or to compel the Maharana to rescind an order issued by him with his Resident's approval, then I think it is far better to say so at once in unmistakeable terms, rather than to play with the Rawat and make out that perhaps we may be able some day to effect some concessions in his favour, when we know that the Rawat will not be satisfied with anything short of the alluvial land of *all* his Jaisamand villages, and we have no intention of compelling the Maharana to make over that alluvial land to the Rawat.

I heard from Hill on the 8th instant that he "only told Salumbar that absolute submission was the only road by which he could hope to attain any sort of rapprochement, and in his (Hill's) interview, at which he (the Rawat) recanted in writing, he (Hill) held out no argument about generous treatment *quâ* argument."

As Colonel Pinhey's conclusion about this case differed from Hill's, I have no doubt that he would prefer not to deal with the matter as Agent to the Governor-General, especially as he has heard rumours (for which I doubt if much foundation exists) that the Maharana is displeased with his appointment and is afraid that he is going to upset everything connected with the Salumbar disputes. Colonel Pinhey has told the Maharana through me that he has no wish to upset any matter which has been settled; if, therefore, this Rund case could be disposed of this month, as far as we are concerned, by your allowing me to make the definite declaration of our policy indicated above, it would, I think, be a very good thing.

NOTE ON THE JAISAMAND RUND CASE.

1. Salumbar claimed the whole of the Run or bed of the Jaisamand lake up to high water mark.

2. The claim, being based on a forged parwana, and on letters of Captain Cobbé and Colonel Brooke that were written without considering what the Darbar had to urge against the claim, is not admitted either by His Highness the Maharana or by Mr. Hill. See pages 1, 3-9, 11, 13-15, 17, 19, of the papers enclosed.

3. The Mewar Darbar assert their right to the whole of the Run, and have issued orders to that effect. This claim was accepted as valid by Mr. Hill. (See pages 33 to 37, 39, 43 to 45 of the papers enclosed.)

4. The contour of the Jaisamand lake has now been surveyed under the orders of Mr. Wakefield, Boundary Settlement and Irrigation Officer, Mewar State. The maps resulting from the survey are almost ready, but have not yet been shown to His Highness the Maharana.

5. The policy for the political officers to follow, as recommended by Mr. Hill, was:—

A. to consider that they (the political officers) are not justified in interfering in this case by reason of any tyrannous encroachment having been made by the Darbar (page 11 of the papers enclosed).

B. to hold that, agreeing with Mr. Hill's opinion, if the Darbar, revoking all illicit encroachments, had elected to resume the whole area of the lake up to the high water contour line as Khalsa, they (the political officers) would have been prepared to support him. While the order issued by the Darbar affirmed that right, Mr. Hill understood, and His Highness has recently confirmed this verbally to Mr. Holme, that His Highness contemplated the issue of orders hereafter—

(a) for the exclusion of the portion of the Run assigned to Salumbar by the Macturi-Sarari boundary settlement; and

(b) for permitting, as an act of clemency, the jagirdars (including Salumbar) to retain certain areas which, in Sambat 1932, they reported as belonging to them.

C. to note that, in Mr. Hill's opinion, as difficulties might arise in delimiting the areas

which under (b) above were to be retained by Salumbar, he (Mr. Hill) would have been glad, had he remained at Udaipur, to have assisted in the settlement of those areas *in situ*, in conformity with His Highness' express wish to that effect.

NOTE.—If His Highness should ask Mr. Holme to assist in the delimitation of those areas, he would willingly agree to do so.

D. to conclude, agreeably to Mr. Hill's opinion, that the settlement of the dispute contemplated by His Highness being the best and fairest that could be devised, the Resident, and

should there be an appeal, the Hon'ble the Agent to the Governor-General also, should give to it their full support.

A. T. HOLME,
Resident, Mewar.

DEMI-OFFICIAL LETTER FROM THE RAWAT ONAR SINGHJI OF SALUMBAR, TO THE HON'BLE MR. C. H. HILL, DATED SALUMBAR, THE 28TH FEBRUARY. 1908.

I am quite well here and hope the same with you. The new interference is made by Tehsil Metodi in the Run zamindars. You advised me that to settle these disputes is the duty of the Boundary Settlement Office. Recently Mr. Wakefield came to the place. I according to your desire sent the Motamids of the Thikana and caused the survey to be commenced. Nay my Motamids gave consence of every place by means of the copy of the sketch and Khisra made by Bakshi Radiram and Kazi Nazam-ud-din, respectable Ahalkars in the State. As all these Misals and papers are present in the Mehmakhas. Of course in Sambat 1932 when these papers were prepared owing to the plenty of water greater part of the Run was under water. But the part outside was surveyed and a sketch of the boundary of Jaisamand is carefully prepared and numbers of the boundary line are given. Under these circumstances new interference of the Tehsil of Metodi is quite clear. It is regretful that these papers are not sent to the Boundary Settlement Office from the Mehmakhas and Searas are appointed to watch my cultivators at this line. If some delay be made by Mehmakhas in sending these papers and the land which is in possession from generations—nay even in the Sambat 1962, it was proved to be in the possession of the Thikana and corn was restored. If even a small part of the area be counted in the *Lain Mamnu* then there is gross injustice and is the cause of ruin of thousands of men of this Thikana. As every thing of mine depends on your favour and my desire is not improper I prove the interferences of the Tehsildar by means of these papers prepared by the State. Under these circumstances I possess the right that two things may be taken into consideration, viz. : (1) my possession of the land, (2) the papers which I have named above, then it will be proper that the land which is considered as disputed may be considered free from the feud. I hope you will kindly do the favour suitable for me and which will suffice for this.

The above letter was shown by Mr. Hill to Mr. Wakefield, Boundary Settlement Officer, Mewar, whose reply is given below.

DEMI-OFFICIAL LETTER FROM G. E. C. WAKEFIELD, ESQ., TO MR. C. H. HILL, RESIDENT, MEWAR, DATED THE 4TH MARCH 1908.

I return this letter, many thanks for sending it. It was Salumbar's duty to have produced the papers he refers to; years ago when the trouble first arose. But apparently he deliberately suppressed them to suit his claim to the whole Run which he based on documents which have since been discredited. These papers will undoubtedly influence the final decision, but as I showed you yesterday, there are other papers also which will have to be considered.

DEMI-OFFICIAL LETTER FROM MR. C. H. HILL, RESIDENT, MEWAR, TO THE RAWAT ONAR SINGH OF SALUMBAR, DATED UDAIPUR, THE 5TH MARCH 1908.

Thanks I am quite well and am glad to hear that you are the same. What you say about the papers of Sambat 1932 appears to be correct; but you do not seem to realise that it was your duty to have quoted and produced those papers years ago when the trouble first arose. You did not do so apparently because, at that time, and ever since, till last December, you were laying claim to the *whole* Run, and to have produced the papers of 1932 would, of course, have ruined that claim. Now that the claim to the *whole* Run has been shown to rest upon a forgery, you mention these papers for the first time.

However, as I have said, the papers of 1932 will be duly considered, along with others, by the Boundary Settlement Officer; and my reason for writing the above is to show you how unwise you and your predecessors have been in suppressing *genuine* evidence in the past; and to urge you once more to limit your demands to what are really and justly supported by *true* evidence. This is my advice to you; and if you follow it, it will be more advantageous to you than any other course. The present state of affairs, and your difficulties, are the outcome of your unreasonable, and unjust claim to the whole Run. I hope that, by co-operating with the Boundary Settlement Officer, and the Darbar officials, your officials will do what they can to preserve peace and to bring about a fair settlement of the whole case.

Translation of an order issued by the Mehmakhas, Mewar, to the Boundary Settlement Officer, Mewar (1908).

The Boundary Settlement Officer may be informed that the claim of the Jagirdar of Salumbar, etc., to the ownership of the Rund of Jaisamand is false; because when the Jaisamand lake was constructed, Salumbar with the villages of the patta was Khalsa, and it was long after that the patta of Salumbar was granted to Rawat Kesri Singhji.

In support of its claim to the Rund Salumbar has submitted to the Resident with his Kharita a copy of a parwana from Maharana Amar Singhji. But the parwana is a forged document. This very parwana was submitted by Salumbar before this in Sambat 1956 with its appeal in the boundary dispute case of Methuri, Khalsa, *versus* Sarari, patta Salumbar. Reasons were adduced at that time to show that the parwana was a forgery and the appeal of Salumbar was rejected. A copy of it was forwarded to the Boundary Settlement Officer and another copy of it is enclosed. History has since been consulted and the following particulars have been elucidated which clearly show that the parwana is a forgery. The Parwana states that—

“When the late Maharana was going to construct the Jaisagar lake, Rawat Kandalji begged him saying ‘Your Highness is constructing the embankment but Salumbar Magra and its villages have been acquired by my ancestors by sacrificing their lives. When Your Highness installed me at Salumbar Your Highness granted me a patta of Assurance dated Sambat 1739. Your Highness is going to break faith, which is not proper. All the villages of my patta will be submerged.’ On this Shri Dajiraj ordered I am pleased to grant to you the Rund of this tank in lieu of the villages of your Patta.”

This was written to show that Maharana Amar Singhji granted a parwana of the muafi of the Rund to Rawat Kesri Singhji in which the following was recorded “When the late Maharana Jai Singhji was going to construct the Jaisamand Lake, Rawat Kandalji represented to His Highness that the lake is being constructed but all his villages will be submerged. On this Maharana Jai Singhji ordered that he was pleased to grant him the Rund of the lake in lieu of his villages that will be submerged.”

The Parwana is, however, wholly a forgery as the patta of Salumbar was confiscated from Rawat Kandalji's grandfather Rughnath Singhji and, when Jaisamand was constructed, Salumbar with the villages of the patta was khalsa. In the circumstances, how can it be believed that Rawat Kandalji's representation about submergence of the villages of the patta of Salumbar is correct, as Rawat Kandalji had no connection with Salumbar at that time. It was a long time after the construction of the Jaisamand Lake that the patta of Salumbar was granted to Kandalji's son Kesri Singhji after Kandalji's death. The Patta of Salumbar was confiscated from Rawat Rughnath Singhji and was not restored either to his son Rawat Ratan Singhji or his grandson Rawat Kandalji. The patta was re-granted to Rawat Kandalji's son Kesri Singhji. How could Maharana Amar Singhji have stated in his Parwana that Rawat Kandalji made a representation to Maharana Jai Singhji about the submergence of the villages of the Salumbar patta when Rawat Kandalji had no connection with Salumbar. For these reasons this Parwana is clearly a forgery.

Salumbar has submitted a further Parwana from Captain Cobbe. In the first place, a mere perusal of it will show that it was written without any enquiry. No reference was made at that time to the records of the State. It was written according to the representation of Salumbar. It appears that Captain Cobbe was deceived by some forged document produced before him by Salumbar in the same way as it has now submitted a forged Parwana of Maharana Amar Singhji for the Muafi of the Rund, and was thus induced to write the Parwana in question. Some forged papers were produced before this during the late Maharana Sarup Singhji's time, of which particulars are given below and it is possible that some forged document was produced similarly before Captain Cobbe.

During Maharana Sarup Singhji's time Salumbar produced a Tamba Patra and a few Parwanas as detailed below :—

Tamba Patra from Maharana Lakhaji to Rawat Chundaji, dated Sawan Sudi 9, Sambat 1427.

Parwana from Maharana Mokaji to Rawat Chundaji, dated Pos Sudi 9, Sambat 1443.

Parwana from Maharana Mokaji to Rawat Chundaji, dated Phagan Sudi 13, Sambat 1444.

Parwana from Maharana Mokaji to Rawat Chundaji, dated Asoj Sudi 13, Sambat 1447.

Parwana from Maharana Bikrimadityaji to Rawat Khengarji, dated Chait Budi 7, Sambat 1572.

The Parwana of Sambat 1443 was produced to prove the genuineness of the Tamba Patra, and the Parwana of Sambat 1444, the genuineness of the Parwana of Sambat 1443. The Parwanas of Sambat 1447 and 1572 were similarly produced in support of each other. The Tamba Patra and the Parwana have been prepared in a manner that they will support each other but the Tamba Patra and the Parwanas were proved to be forgeries when they were produced which

fact is clearly stated in the refutation recorded at that time. The Tamba Patra and the Parwanas are not only forgeries but they contain such discrepancies in respect of the Maharanas names and their date that a mere perusal of them will convince one of their being fictitious. The forgery and craftiness of Salumbar was discovered at that time and they did not succeed in carrying out their plan and, therefore, they did not produce those forged documents now and have submitted two others which are also forged. The parwana of the muafi of the Rund from Maharana Amar Singhji, which has been shown above to be a forged document, and a second Parwana dated Mah Sudi 5 Sambat 1483 from Maharana Kumbhaji to Rawat Kandalji submitted subsequently by Salumbar to the Resident. The latter is also purely a forgery because it purports to be from Maharana Kumbhaji and is dated Sambat 1483. As a matter of fact however Maharana Mokalsi reigned in Sambat 1483 and it was in Sambat 1490 that Maharana Kumbhaji succeeded to the *gaddi*, and the document is therefore also a forgery.

How can Salumbar's claim to the Rund be considered valid when it is based on such fictitious documents. Further the rights in a lake always belong to the State, *viz.*, the alluvial of a lake belongs to the State. The Udaisagar and Raisamand lakes were constructed before the Jaisamand Lake and the State possess similar right in these lakes. How can Salumbar and others prefer a claim to the Jaisamand Rund contrary to the old standing practice.

The following villages were submerged by the Jaisamand Lake when it was constructed:—

Chibora, Namla, Bhatwara, Gamri, Semal, Patam, Kotra, Ghati, Singawali and Salao.

This is apparent from history. The Rawat of Salumbar has encroached upon Khalsa villages and included them in his patta *viz.*, the villages not included in the patta are in possession of Salumbar, as is evident from old records.

During Maharana Bhim Singhji's time in Sambat 1878 the Sardars of Mewar were got to record in a Bahi the names of the villages of their respective pattas with the amount of income of each village. At that time Salumbar was also, like other Sardars, made to enter the names and incomes of the villages of its patta. The Salumbar Motamid remarked in signing the entries in the Bahi that if there be any discrepancy he will be held guilty. The Bahi shows that Salumbar noted the following six villages only of the Rund at that time:—

	Rekh.	Income derived.	Present income.
Namlo	700	700	150
Singavli	500	600	250
Sarari	1,000	1,000	600
Ginglo	1,500	3,000	1,500
Patan	1,200	800	300
Chiboro	1,000	500	100

The following villages are at present in the possession of Salumbar in addition to those of its patta:—

Bhimpura, Daulpura, Namla, Tulchhaka, Roba, Paeri and Chiboro II.

There are other villages also in the possession of Salumbar outside the Rund. This will be dealt with separately. Value of the villages can be judged from their incomes noted above. The present value of these villages can be seen by visiting them.

Korabar also has likewise, made unlawful encroachment on certain villages of the Rund in addition to the villages of the patta. The list of the villages of its patta as recorded by Korabar in Sambat 1907 contains the following villages of the Rund:—

	Rs.
Semal mortgaged by the Rao of Bedla-Khalsa	1,000
Thori mortgaged by the Rao of Bedla-Khalsa	500
Jara-new and old	1,260

The above villages only of the Rund are recorded in the patta. In addition to the above, the following villages of the Rund are at present in the possession of Korabar:—

Thori II, Pavri and Rathoran-ki-Bhagal.

Salumbar, Korabar and Bhadesar were granted jagirs after the construction of the Jaisamand lake and these jagirdars did not at that time possess these villages.

An old paper has recently been traced about the collection of water tax collected from the land which was irrigated from the Jaisamand lake during late Maharana Sarup Singhji's time. It states "The lake was constructed by the Darbar out of the State money and repairs to it have also to be carried out. The main source of profit to the State is the Rund and the water tax." Irrigation was stopped at that time on failure to pay water tax.

It is quite clear from the above that the claim of Salumbar and other Jagirdars to the ownership of the Rund of Jaisamand cannot be admitted.

We therefore beg to say that these Jagirdars have no right in the Rund and should not be permitted to have any connection with it. It may be noted that if anybody desire to irrigate land lying outside the Rund from the Jaisamand lake it will rest with the Darbar to allow irrigation on payment of water tax or to refuse the application. In the same way, if a person desire to use water for irrigation from the canal permission may be granted on payment of water tax or the request may be disallowed.

Translation of an order dated Asadh budi 14 Sambat 1964 issued by the Mehkmakhas, Mewar.

The whole of the Jaisamand Rund is Khalsa. The right to the land belongs only to Khalsa and to no one else. But the Rund has not yet been demarcated and marked with pillars. On this account an order may be issued to the Hakim of the Magra to the effect that the State share of the produce of the land cultivated by the Asamis of Salumbar and Korabar may be kept with a third party. Salumbar and Korabar may be informed accordingly and they asked to place the Bhog of this land in conjunction with the Hakim of the Magra with a third party. Orders regarding it will be issued subsequently.

Office Order.

Before leaving Mewar early in the month, Mr. Hill desired me to pass an office order that whenever any matter connected with the Jaisamand Rund is under consideration, his note on the question, dated 9th May 1908, should be put up at the same time. Office will kindly note and act accordingly in future.

The 30th May 1908.

R. CHENEVIX-TRENCH,

Officiating Resident, Mewar.

Jaisamand Rund.

After many preliminary discussions with His Highness, who has throughout displayed the fairest spirit, and the utmost reluctance to do anything which could be construed into unfair treatment of the jagirdars rights, the attached orders have at last been concerted and are about to be issued.

2. In connection with the Matampursi affair I had occasion to examine the validity of the documentary evidence upon which Salumbar based his claim to the whole Rund and the whole of it was found to rest upon forgeries of the most glaring description. The same has been the case with the claim to the Rund. His Highness has shown me the papers upon which the various claims are based and the documents rebutting these claims; and the whole has been carefully summarized in the order* attached, in whose conclusions I entirely concur. It is clear that both by prescriptive right, and by long practice,

*This appears to refer to the Mahakma Khas, Mewar, order dated Asadh Budi 14th, Sambat 1964.

A. T. HOLME,—19.9.1908.

prior to the disintegration of the central authority in Mewar, the State rights to the whole Rund are not open to question; and therefore if the Darbar, revoking all illicit encroachments, had elected to resume the whole area of the lake up to the high water contour line as Khalsa, I should have been prepared to support him. The order it is true, affirms the right; but His Highness contemplates the issue of orders hereafter (a) for the exclusion of the portion assigned to Salumbar by the Maeturi-Sarari boundary settlement; and (b) for permitting, as an act of clemency, the jagirdars to retain certain areas which, in Sambat 1932, they reported as belonging to them.

3. It is only in regard to (b) that any difficulty need arise; and had I been here, I should most gladly have conformed to His Highness' express wish that I should assist in the settlement of these areas *in situ*. After their settlement, they should be permanently demarcated.

4. Finally I understand His Highness to contemplate the permission to use the lake water by channel and lift irrigation, levying water rate on the water so used. This however is a minor detail.

5. Though I am leaving Mewar I desire earnestly to appeal to my successors—and, should there be appeal, to the Hon'ble the Agent to the Governor-General—to give full support to the scheme now enunciated. I have examined minutely many papers connected with Salumbar's and others claims; and I have had unique opportunities of gauging His Highness' attitude and intentions in the matter; and I want to place on record my conviction, for what it is worth, that the contemplated settlement is, in all the circumstances, the best and fairest that could possibly be devised; and that His Highness the Darbar, who has given the matter the most careful—and, on the whole, unbiassed,—consideration, and who has, throughout, taken me into his confidence, should receive the entire support of the Resident. No settlement can possibly after all the abuses that have crept in, satisfy all parties: but this one goes far in the right direction, and, being within the competence of His Highness to effect, he has gone beyond what was necessary in consulting the Resident.

The 9th May 1908.

C. H. HILL,

Resident, Mewar.

23. LETTER DATED THE 14TH OCTOBER 1908, FROM THE RAWAT OF SALUMBAR.

Serial No. 4

Regarding his grievances against the Mewar Darbar at paragraph 21 above.

24. Resubmitted as ordered.

E. KAMSIKA,—21-10-1908.

25. Agent to the Governor-General.

H. B. ST. JOHN,—22-10-1908.

26. I put up a reply to Mr. Holme's letter.

E. G. COLVIN,—27-10-1908.

27. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S.,
AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, Esq., I.C.S.,
RESIDENT, MEWWAR, DATED UDAIPUR, THE 27TH OCTOBER 1908.

Paragraph 22.

I did not reply earlier to your letter of 9th October, as I thought it would be advisable to wait until I came to Udaipur.

I have had a long conversation with His Highness to-day about this Salumbar case, and I think it will be convenient to record the purport of it here. * * * * *

I said that I had never discussed the Salumbar case with him in detail before, as I had been well acquainted (until April last), with every step that was being taken and since I approved of what was being done, discussion was unnecessary. I had not however been consulted about the order of Asadh Badi 14th Sambat 1964 declaring the whole Rund to be Khalsa. I had been informed lately that His Highness contemplated some modification of those orders, but I was unable to understand what those modifications amounted to. There seemed to be considerable uncertainty both as to the effect of the order itself, and as to the effect of the modifications proposed. It was not clear for instance whether the land in the round, belonging to villages admittedly in the patta of Salumbar was included in his scope of the order of confiscation or not or whether it would be restored by the proposed modifications, nor whether the admission of the jagirdars in Sambat 1932, was about their rights or their possession in the past or about their cultivation for that particular year. I had therefore come to him straight to get an assurance in regard to these points.

The case, I said, was one of much importance and one in which I knew that His Highness took the deepest interest. It was my earnest desire to support him, but I thought he should make it clear to me that the order was both just and wise. If I could be satisfied on these points, and could leave on my departure an order on the record that I considered His Highness' action should be strongly supported, it would make things easier for His Highness and would smooth the way for my successor. I pointed out that although it was an internal matter which His Highness was fully competent to dispose of himself, still Salumbar might appeal to the Government of India and that it would greatly strengthen the Agent to the Governor-General's position in reporting on the case if he could say that the orders were issued with his full knowledge and approval.

Also that the Thakur were watching the case closely, and that it would probably be politic, now that Salumbar had yielded on the main point, to treat him generously in other matters in dispute.

His Highness acknowledged all this, and said that he would willingly satisfy me, if he could. He thought he had given enough in allowing the portion assigned to Salumbar by the Maeturi Sarari boundary decision, and the areas reported by jagirdars as belonging to them in Sambat 1932. He could not tell me straight off what was the basis of this latter request right or possession or cultivation. But it could be ascertained from the papers, and he would let me know.

It was not his intention to give more than that in any case, even in villages admittedly in the patta.

I said that the fact that Salumbar patta was restored some years after the construction of the Jaisamand Bund, and that Salumbar apparently then got possession of the rund lands under their villages with the villages themselves and had been in possession ever since, over 200 years, seemed to supply a strong presumption of prescriptive rights in those lands at any rate. There was no evidence as yet to show that when the patta was restored, this rund land was excluded, I had heard from Salumbar (though of course in the absence of maps I could not say how much truth there was in it) that a decision according to the Sambat 1932 lists would deprive them of great part of this land.

The Maharana said he also could not say until a survey was made according to those lists, but that it was a recognised custom in Mewar that all the rund of lakes constructed by the Darbar was Khalsa.

I said that even if that was the case, it seemed to me wise to pay some respect to possession which had been established for 200 years and that until a survey was made according to the Sambat 1932 lists, it was clearly difficult for any one to say whether a decision based thereon would be fair and equitable.

His Highness then said that he would go into this carefully, and have a survey made, and would consider whether the result was fair and equitable. Meanwhile the produce of the lands was being held in deposit and the value thereof would be distributed according to whatever decision might be finally arrived at.

I indicated, without pressing or insisting on, the view that it might be wise to leave with the Jagirdars all the rund area below villages which were admittedly in their pattas, if this could be done without raising the question of right in other villages in their possession.

* * * * *

You will see from the above note of my conversation with His Highness that I do not altogether agree with your view that we should now declare that we will not under any circumstances intervene in the case. It is not necessary to compel the Maharana to rescind his order confiscating the entire roond—since he has declared his intention of modifying those orders later.

Everything will depend on the nature of the modifying orders. But it is our business, considering all the past history of the case, to see that the orders are such as we can reasonably support on appeal, and that they do not deprive Salumbar and the other Jagirdars concerned of too large a share of the possession which they have been enjoying for centuries.

Salumbar will no doubt continue to petition and I think he must be told in reply that the Maharana is still considering what further orders he will issue in the matter.

28. DEMI-OFFICIAL FROM MR. C. H. HILL, RESIDENT, MEWAR, TO THE HON'BLE LIEUTENANT-COLONEL A. F. PINHEY, C.I.E., OFFICIATING AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED JAISAMAND, THE 28TH DECEMBER 1908.

Perhaps you will like me to write to you a general outline of the results of conversation which Holme and I have had about the Run, with His Highness.

If you look up the papers you will remember that while His Highness had issued an order, claiming the whole Run (an order which, in my view of the case, was justified) he had agreed to respect certain concessions (a) as regards the boundary of Sarari Maturi and (b) as to certain specific lands claimed by Korabar, Salumbar, etc., in 1932.

As the latter involved but small concessions, Colvin, taking the view that Salumbar had had possession for 200 years or so, thought the settlement might be hard on Salumbar; and that in view of Salumbar's surrender in the Matampursi case, he was entitled to consideration.

My own view was based on the following considerations:—

- (a) Salumbar was given the Salumbar Patta after the Jaisamand lake had come into existence therefore, *prima facie*, his grant only included the area of the specified villages down to the high water mark (as is the case elsewhere, e.g., Rajnagar).
- (b) Though Cobbe, in 1826, gave another dictum on the subject of the Run, it was not till Kesri Singh's time that a formal claim was laid which it was thought necessary to back with forged documents (*vide* my report).
- (c) Consequently the dispute only dates back about 60 years, and the onus of proof is on Salumbar to prove possession.
- (d) He has failed to discharge this. To this may now be added that.
- (e) In 1932, and in subsequent correspondence, conducted through the Residency, Salumbar specified his precise claims to the Run of his villages; and the inference is that the claims then formulated represented all that he was entitled to.

These claims the Darbar is prepared to recognise.—Holme is agreed with me in thinking that the Darbar position is unassailable failing production *in situ*, by Salumbar, of rebutting proof. The Darbar is prepared now to hand on to Holme the authority to settle on the spot the demarcation and settlement of Salumbar's claims as formulated in 1932-34; and Holme is disposed to agree in my advice to act upon the Darbar's acquiescence and to proceed to the spot for the purpose. As a preliminary he proposes, in accepting this communication, to tell the Maharana that, if Salumbar produces documents which seem to him worthy of consideration as affecting the justice of his proceedings, he will suspend operations pending reference to the Darbar.

I think, knowing His Highness as you do, that you will agree with me in welcoming this scheme as the only one likely to produce results, while at the same time being fair, and offering every opportunity to Salumbar to represent his case; and, though it is no business of mine, I believe you will not resent my earnest suggestion that you should—informally of course—approve Holme's proposals. His Highness, as you know, regards the Resident as "his

Sahib" and Colvin used to be very good in not acting direct with him. With deference, therefore, I suggest that if you will authorize Holme, demi-officially to act on these lines you will be going a long way in the direction of securing a settlement.

You may, I am fully conscious, think it an impertinence in me to offer suggestions to you, but I have only one object in view—and I believe that you, having the same, will not be conscious of any personal consideration in the matter.

If I may make one further suggestion it is this:

Every petition that Salumbar writes is known to the Darbar also its contents. I have seen some of those relating to my interviews with him; and if the statements about the Durbar are as untrue as those about my conversation with him they do not command much respect. It is not, however, their credibility that I wish to advert to. It is that it would be a kindness to Salumbar himself to tell him—as abruptly, as you like—that no further petition will be listened to, or that any future ones will be sent to the Darbar for disposal since until he (or rather his advisers) cease from petitioning, the Darbar will not move a finger towards favourably considering *anything*. And if, as is the case, Government and the Agent to the Governor-General, recognizing this as a matter of internal administration in regard to which there is no intention of forcing the Darbar, surely it is a kindness to prevent Salumbar from steeping himself deeper and deeper in the Darbars disfavour.

Forgive the length of this letter which Holme has seen. He will tell you whether my visit has been helpful or prejudicial at least he knows all that has transpired.

I have only this to add. Should there still be any feeling in your mind in the matter let us meet if possible and discuss. I told you I could not join you in February but if I can manage a day only I will gladly do so rather than leave a stone unturned to remove any misunderstanding from which any one else may suffer: and I shall be returning from Lucknow about 6th or 7th February. I have again taken occasion to assure His Highness that you are most friendly to him and that you are as anxious to help him as I am.

I hope you got my letter from Rajkot.

29. DEMI-OFFICIAL LETTER FROM THE HON'BLE LIEUTENANT-COLONEL A. F. PINHEY, C.I.E., I.A., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, Esq., C.S., RESIDENT, MEWAR, DATED CAMP, THE 1ST JANUARY 1909.

I have just received Hill's letter of 28th December, which you have seen, and I take the first opportunity of writing to say that I entirely agree with all his proposals and shall be delighted if you will take up the Salumbar case and settle it as suggested by him. I have told Hill that I am most grateful to him for all he has done about the case and that I intend that you shall have full discretion to settle it with the Darbar and without any interference whatever on my part. As I think I told you at Ajmer I fully intended not to interfere if I could possibly help it, and certainly not unless the Darbar asked me to do so, which was very unlikely. So please go ahead and you can fully rely on my support should you require it. You know that the proposal is—

That "the Darbar is prepared to hand over to you authority to settle on the spot the demarcation and settlement of Salumbar's claims as formulated in 1932-34; and that you will proceed to the spot for the purpose. As a preliminary you propose, in accepting the commission to tell the Maharana that, if Salumbar produces documents which seem to you worthy of consideration, as affecting the justice of the proceedings, you will suspend operations pending reference to the Darbar."

This seems clear enough and I wish you every success.

30. PRIVATE DEMI-OFFICIAL LETTER FROM A. T. HOLME, Esq., C. S., RESIDENT, MEWAR, TO THE HON'BLE LIEUTENANT-COLONEL A. F. PINHEY, C.I.E., I. A., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED UDAIPUR, THE 1ST JANUARY 1909.

Hill left for Rajkot yesterday after a week's stay. We had nearly three days at Jaisamand, where His Highness now is. We saw and studied the large map of the contour of the lake, which Wakefield has made, and discussed the Salumbar Run case. His Highness kindly showed me the Mahakma Khas papers about the Sambat 1932 survey, which had not previously been seen either by Hill or myself.

It seems clear enough that in that year, when Maharana Sajjan Singh was still a minor, the Resident, Colonel Herbert, found that the Jaisamand dam was dangerously weak, and he issued what was practically an order that the space between the front and rear walls of the dam should be filled in with earth, the cost of doing so being distributed over all the land which derived any advantage from the existence of the lake. All the parties concerned, Salumbar among others, were told to have their land which obtained water benefits surveyed and recorded. Salumbar at first raised some objections, though not at that time on the ground that the whole Run of the lake was theirs, but eventually, after an admonition from the

Residency, they acquiesced, and the result of the survey was a table or statement giving the names of the Salumbar villages round the lake, and the area in each village of "sirma" (land which is moist because the lake water is close at hand or because that water has recently receded from it), land round the margin of the lake irrigated from "rents" or waterwheels, unculturable land, one or two other headings which I forget, and land "pani men."

This last detail seems to me very important, because Salumbar's contention about this Sambat 1932 survey now is that in that year the rains were very heavy, the lake was consequently full, and they (Salumbar) caused to be recorded at survey the land belonging to them which was then out of water and could therefore be surveyed, while in respect of the remainder of their property they stated to the Raj surveyors, and the statement was entered in the khāsrās, that it was under water, and could be surveyed when it emerged. If this contention were really true, it is for Salumbar to explain how an entry appears against one of the Salumbar villages in the statement referred to above, that 47 bighas are "pani men," while against all the other villages the column headed "pani men" is blank.

I think there is a reasonable presumption that the Salumbar contentions about the Sambat 1932 survey are as weak as their claim to the whole Run. His Highness has now expressed to me the wish that I should go out to Jaisamand in a few days' time and examine the land below the Salumbar villages with a view to the demarcation of the Salumbar boundary in the Run; and I propose to comply and to try to finish off this case on the following lines:—

- (1) to inspect the Run land of the villages given in the Sambat 1932 statement;
- (2) to consider any evidence that may be offered by Salumbar's representative on the spot which (evidence) would go to show that the Sambat 1932 statement is not reliable in whole or in part;
- (3) if no such evidence is offered, or if it is offered but considered invalid, to suggest the demarcation of certain areas, in the Rund below the Salumbar villages, roughly equal to those given in the Sambat 1932 statement. As far as is known to His Highness there are no maps of the Sambat 1932 survey available, but only the statement of areas under each several heading, "sirma?" etc., and thus, though one knows that there are, say, 50 bighas of sirma in a certain village, one cannot say that those 50 bighas are to be found in one particular spot in the Run rather than another;
- (4) assuming that His Highness agrees to my suggestions, which would be informally made in the first instance at any rate, to see that the demarcation is correctly made and marked on the map and that the necessary boundary pillars are erected.

As all this may take some time, I think that, with your permission, I will, for the present, give up, though I am extremely sorry to do so, my intention of meeting Mrs. Pinhey and yourself at Bhainsrorgarh, on 4th February. After I have been at Jaisamand for some little time I shall perhaps be able to make more definite plans.

I hope you will be able to acquiesce in the above suggestions, and will support me if the Salumbar people howl, as they are pretty certain to do. It seems to me that if they get the benefit of the Meturi-Sarari boundary case, and all the land which they said in Sambat 1932 belonged to them, they will be treated with complete justice, and I see no other possible way of getting this case decided. If the Sambat 1932 statement correctly gives what Salumbar themselves at that time declared to be the whole of their property within the Run, and if the Maharana says in effect:—"I claim the whole of the Run as khalsa, and have issued an order to that effect with the concurrence of my Resident; but as a matter of grace I will give Salumbar what they said in Sambat 1932 was theirs," then it appears to me that, knowing what His Highness' character is, and bearing in mind the fact that he now feels himself armed with the full moral support of his Resident (Hill), whose opinions are on records it will be most unwise to continue to give any encouragement to Salumbar and to lead them to hope, by omitting to inform them in so many words that such will not be the case through any act on the part of us Government officials, that perhaps they may some day get more land in the Run than what the Meturi-Sarari boundary case and the Sambat 1932 survey will give them. It is most unlikely that the Government of India would go into the merits of this internal dispute at all, even if they thought that perhaps His Highness had not been altogether just to Salumbar, but if it can be demonstrated, as I think it can be, assuming that the Sambat 1932 papers have no flaw in them, that Salumbar is receiving full justice and even more than justice, then there can be only one result if the Government of India go so far as to admit the appeal and give a decision on the merits.

Hill asked me to tell you conscientiously whether I considered that his visit to Udaipur had been a help or a hindrance to me. There can be no doubt that it was a very real help. His influence with the Maharana and the tactful way in which he deals with His Highness are quite wonderful, and I hope that His Highness may now perhaps, owing to Hill's good offices, extend some small fragment of his benevolence towards myself.

31. DEMI-OFFICIAL LETTER FROM THE HON'BLE LIEUTENANT-COLONEL A. F. PINHEY, C.I.E., I. A., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, ESQ., C. S., RESIDENT, MEWAR, DATED CAMP, THE 6TH JANUARY 1909.

Your letter of 1st January about the Salumbar case has crossed mine to you written on receipt of a letter from Hill from Jaisamand.

As I have said I entirely approve of all that Hill and you have done and I now look forward confidently to a final settlement of this troublesome case. Now that the Maharana has agreed to a fair and open enquiry we are bound to support him and if Salumbar cannot produce any rebutting evidence on which any reliance can be placed that is his fault, however sorry we may be for him for having muddled his case by forged documents and putting his trust in officials who have served him so badly.

I was not aware that Salumbar had submitted any definite appeal against the Maharana's decision (I have not got all the papers by me just now), but if he has done so or is likely to do so in future you may be sure that Government will never interfere. It is an internal affair (this Run case particularly) and your interference will be not official as Resident, but private as a friend of the Maharana.

I certainly have never encouraged the Salumbar people to expect any assistance from me since I left Udaipur in 1906. The Rao has written to me occasionally and once sent a deputation, but I told him distinctly that I would not interfere or help him in any way. Since taking over charge here I think I have sent all his communications on to you in original, except perhaps one or two private letters of congratulation. If I get an opportunity of seeing him at Udaipur I will tell him distinctly that he must submit and that Government will not listen to him.

The only thing that distresses me about your letter is that you say that you will probably not be able to meet us at Bhainsrorgarh. I hope you will be able to come after all, but I quite recognize the importance of your carrying out your investigations at Jaisamand without delay and I do not wish you to put these off for my sake. But as soon as you are free please join us whenever convenient and don't bother to bring anything except your clothes and bedding. We can put you up and do everything for you in the way of tents, etc. Why not send a horse or so to Chitor and ride out to meet us anywhere between Bhainsrorgarh and that place?

I quite understand about Hill's visit having been of the very greatest help to you and I am very glad he came, especially as he has been perfectly open and straight forward with me in the matter. This was all I wanted.

32. FROM THE RAWAT OF SALUMBAR, DATED THE 9TH JANUARY 1909.

Regarding his grievances about Rund and other matters.

33. Not traceable.

I should like to see Kharita referred to at "Z" below and any other relevant papers.*

34. A. F. PINHEY.

The Rawat refers to his Kharita No. 13, dated 13th June 1908. This Kharita does not seem to have been received in the Agency Office. In Matampursi file. The Rawat's last Kharita received in this office is dated 26th May 1908. This Kharita together with a translation of it was sent to the Resident with our No. 328, dated the 28th June 1908, and the Rawat was informed that it had been forwarded to the Resident for disposal and he was told that all future communications on the subject should be made to the Resident. The Kharita of the 13th June 1908 to which the Rawat refers now, may have been sent to the Resident.

35. Regarding the Rawat's claim to the Rund, Mr. Hill, has in his communication to Salumbar, dated the 14th December 1907, stated that his claim to the whole Rund is absurd and declared that he is not entitled to the whole. In his notes, dated 9th May 1908, Mr. Hill has recorded that Salumbar's claim to the whole Rund is based on forgeries. It will be seen from Mr. Holme's demi-official dated the 9th October 1908, that His Highness the Maharana has now declared the whole Rund khalsa and has issued definite orders annexing it. Mr. Colvin when at Udaipur discussed the matter with His Highness the Maharana and has recorded his views in his demi-official dated 27th October 1908. Mr. Holme's proposal on this subject is contained in his demi-official dated the 1st January 1909. The previous correspondence will be found at Serial Nos. 1 and 2.

Enclosure to Serial No. 1.

Paragraph 22.

Paragraph 22.

Paragraph 27.

Paragraph 30.

E. W. KAMSIKA, — 14-1-1909.

132 A. to G. G. Raj.

36. Submitted. It is possible that the Rawat sent his khat of 13th June 1908 to the Resident but I am asking the Abu Office to send any papers there may be in the Vernacular Office about this case.

D. N. MODI,—14-1-1909.

37. Agent to the Governor-General.

G. H. ANDERSON,—15-1-1909.

38. This telegram* and the representation dated the 9th January 1909 below might be sent in original to Resident Mewar for disposal, and the Rawat of Salumbar may be informed that this has been done.

* Not on file, paragraph 32.

A. F. PINHEY,—17-1-1909.

39. Draft endorsement and draft letter put up for approval.
E. W. KAMSIKA,—18-1-1919.

40. May issue?

D. N. MODI,—18-1-1909.

41. G. H. ANDERSON,—19-1-1909.

42. ISSUED TO RESIDENT, MEWAR AND RAWAT OF SALUMBAR, NOS. 41-C.† AND 42-C.,‡ DATED THE 20TH JANUARY 1909.

Notes of an interview with the Rawat of Salumbar.

43. You sent two motamids to me at Bhanthalis. I would not see them—and they were told to go to the Resident and make any representations they wished to. But now that I have come to Udaipur, I shall be glad to hear what you yourself have to say.

Question.—What do you wish to say me.

Salumbar.—My Thikana is being ruined, no one will hear me. The villages in the Run are being made Khalsa. [Produces a document giving all his grievances.]

Question.—What can you expect if you produce forged documents?

Salumbar.—I have been given no reasons as to why they were considered forgeries.

Question.—But Mr. Hill shews that he clearly explained to you all the circumstances. You must have been told they were forgeries and on what grounds.

Salumbar.—I have not been told the reasons. If I had been told I could have proved that they were not forgeries.

Question.—If you think that in the matter of the villages of the Run you have not received justice, why do you not petition the Darbar?

Salumbar.—I have done so but I never received any reply to my representations—only orders.

Question.—You will without a doubt be heard and your case is being investigated.

What advice did Mr. Hill give you when he last came to Udaipur.

Salumbar.—To rely on the Darbar I also cannot give you any better advice than this.

Salumbar.—The Darbar will not hear me about my grievances.

Question.—Who made Jaisamand Talao?

Salumbar.—The Darbar.

Question.—Who has all along spent money on repair to the bund?

Salumbar.—The Darbar.

Question.—Has Salumbar ever contributed towards the maintenance?

Salumbar.—No but a former Raoji objected to the work on the bund.

Question.—If he did so he was very foolish in trying to delay a work of great benefit and it seems that many years ago under Herbert Sahib's advice Jodh Singh might have taken the water of the talao on a water rate or contributed towards the repairs of the lake. This he refused to do and now I cannot see that there is anything to combat the fact that whatever land comes under the water of the lake is "khalsa."

Salumbar.—But the villages which I now claim were originally submerged and the people had to take up land on higher ground above the level of the lake.

Question.—Perhaps villages were submerged but how can you say that they belonged to Salumbar.

Salumbar.—They did belong and I can prove it.

You will find it difficult to do so when your credit has been shaken by the former forged documents. Moreover the records of Salumbar which have been put forward by Raos themselves point to the fact that their submerged villages were not in the possession of your ancestors when the lake was constructed.

Rao Ragunath Singh had been ousted by Maharana Raj Singhji and it was not till after Jai Singhji had constructed the lake that the Parsoli Raoji was slain and the Patta restored to Rao Kesri Singh. This seems to be the true history.

Salumber.—I can prove that although a Patta was given to Parsoli Raoji he never occupied Salumber, and that the Thikana never left the possession of Rao Raghunath Singh or Kandalji.

Question.—Whatever are the circumstances of the case how can I interfere in a matter between the Darbar and a subordinate Thikana?

Salumber.—Government Officers have interfered on my behalf before.

Question.—Yes: Government have twice interfered. But when they did so in Puddum Singh's time the whole country was in a state of disturbance and Colonel Tod was sent to restore order and the policy of Government was not then what it is now. In Kesri Singh's time the Thakurs were in revolt against the Darbar and the Darbar himself asked us to settle his differences with the Darbar. But the attempt was unsuccessful and in the present instance the conditions are quite different.

It was not in either instance a case of a dispute between a Single Thakur and the Darbar as in your case and so without His Highness expressing a wish, we cannot interfere.

You must trust to the Darbar and be patient. Any proof you have you must produce to the Darbar.

G. H. ANDERSON,—22-1-1909.

44. I explained the purport of this interview to His Highness the Maharana. He was quite satisfied with all I had said to Salumber and promised to let him have the reasons for his decision in the Run case.

A. F. PINHEY,—22-2-1909.

45. FROM THE RAWAT OF SALUMBAR, HINDIKHAT, DATED THE 21ST DECEMBER 1908 (RECEIVED Serial No. 6 3RD JANUARY) 1909.

Regarding Rund village.

46. An abstract translation is prepared and attached to the Khat. For orders.

B. L. V.,—3-1-1910.

47. Mr. Colvin last saw the file before going on leave at paragraph 27. Our last letter to the Resident is that of this day last year at paragraph 31. We have no record of the outcome if the enquiry proposed by Mr. Holme in his private letter of January 1st, 1909, at paragraph 30. This we may ascertain and should record, when we meet the Resident this month. Meanwhile we need not reply to the Rawat.

H. WILKINSON,—6-1-1909.

Agent to the Governor-General.

48. FROM THE RAWAT OF SALUMBAR, No. 29, DATED THE 8TH JANUARY 1910. Serial No. 7

Submits printed papers showing the main points of the Jaisamand Rund Boundary case.

49. This may wait till I have been to Udaipur. I put below a note of my interview to-day with the Rawat.

50. *Sarer*.—Interview with the Rawat of Salumber.

E. G. COLVIN,—20-1-1910.

After a short conversation on general subjects, the talk inevitably came round to the Jaisamand Rund.

The Rawat began to talk of the hardship occasioned by the recent order making the land below the "Elephant's feet" contour of the lake all khalsa. I said he had already sent me a petition on the subject which by the way should have come through the Resident that I thought he was unwise in sending me that petition or in talking to me about the case on the present occasion. He replied that he had no other resource that he had applied to His Highness the Maharana but no petitions now sent by him were accepted by the Mehkmalas. Mr. Hill had advised him to submit on the question of the Matampursi, saying that this would smooth the way for a satisfactory settlement of all his other troubles; that he had done so, at great expense of "Izzat." What was the result? His "Talwar Bandhi" was still not done; the rund was almost entirely taken from him; and none of his other grievances had been redressed on the contrary, his troubles had increased in every way.

I said that the reason was that he had not shown real submission to the Darbar; that the Maharana knew that he wished to get round his orders and no doubt knew of the recent petition he had just sent me. This was not the way to gain his good will or become on good terms with

him. When he showed a real spirit of submission, he might hope for kind treatment, but I did not think he was on the right road at present. I reminded him of Lord Minto's speech at Udaipur and said that this was a matter of internal policy, as to the justice of which two views were quite possible—e.g., Mr. Hill's view—and that it was most unlikely that either the Agent to the Governor-General or the Government of India could, in the circumstances intervene.

He asked me to see some papers showing how his authority with his own subordinate Jagirdars had been ruined by the treatment he was receiving. I declined to look at any papers, saying this interview was no time for the production of such papers. He asked me to see Captain Cobbe's khattri letter. He had been accused of submitting false documents but this at any rate was genuine. I declined to look at it saying this was no time for going into evidence. Finally he begged me to consider his case, saying that he had suffered over the Rund a loss of R 50,000 and that his people were likely to die of hunger. I said that they would still be able to cultivate the khalsa lands but he replied that they could not afford to pay the water tax demanded by the Darbar and also pay their rents to him. I said, if they were wise, they would pay the water tax.

E. G. COLVIN,—20-1-1910.

51. I spoke to-day to His Highness the Maharana about that portion of the Salumbar case which concern the Jaisamand Rund.

I reminded His Highness of the conversation we had held on 27th October 1908, in which I expressed my doubts as to whether the Rund area to be accorded to Salumbar and other Jagirdars, under orders which His Highness intended to issue modifying the original orders of confiscation would leave to them a really fair and equitable proportion of the Rund area. His Highness had then said that a survey was to be made and that he would consider the results carefully and whether they were fair and equitable.

I understood that modifying orders on the lines intended, i.e., according to the areas which his Jagirdars had themselves reported as belonging to them had been issued in August 1909, but the Agent to the Governor-General had not received any letter showing the effect of those orders, i.e., what areas it left with the Jagirdars or what areas it took away from them. The only information I had on this point was such as I had picked up from representations made by Salumbar and others during my recent tour.

I was bound to say that the doubt I felt in 1908 was still in my mind; and that as I did not wish to harbour any such feeling, I frankly asked His Highness, if possible, to remove it. I was quite aware that His Highness might regard this question between himself and Salumbar as an internal matter, outside our political dealings, one therefore, in the terms of His Excellency the Viceroy's speech at Udaipur with which His Highness was quite competent to deal unaided; also that there might very possibly be two views of the matter, as was shewn by the fact that the late Resident Mr. Hill considered the action which His Highness had taken as perfectly fair and equitable.

Still I regarded the matter as one on which I might be called on to give an opinion, and I could scarcely disregard the old history of the case, the constant petitions which I received from Salumbar and other Jagirdars concerned and even though I might not and probably should not regard it as a case in which my interference was required, still I did wish to be able to say whether or no I could fully support His Highness' action.

The year Sambat 1932 was a year in which the lake was unusually full; the papers I had seen (I could not answer for their accuracy) seemed to show that lands belonging to each village could not be surveyed in Sambat 1932 because they were under water; I had not seen any evidence to show that the Rund areas in Jagir villages of Jaisamand were ever in the possession of the State and treated as khalsa; on the contrary the Jagir villages seem to have had possession of all the rund below them for a very great number of years they are now to lose everything except about 234 bighas, below the contour line of the Elephant's feet. But the elephant's feet are almost on a level with the weir, and therefore the jagir villages will practically lose all the area submerged when the lake is quite full i.e., they will lose the whole of their rund except 234 bighas.

His Highness said he would have a statement made showing me exactly the effect of the decision, and generally his reasons for thinking that decision fair and equitable. He said he quite understood my reasons for speaking and was glad that I had told him all that was in my mind. He wished to satisfy me. I thanked His Highness warmly and said I would await his promised statement.

E. G. COLVIN.

52. I had a conversation with His Highness the Maharana on January 28th, of which I have recorded a note but I think Mr. Holme did the same and I have written to him to ask for a copy of his note.

Await his reply.

E. G. COLVIN,—1-2-1910.

53.

FROM THE RAWAT OF SALUMBAR, NO. 39, DATED THE 30TH JANUARY 1910.

Serial No. 8

Intimating that he has submitted his objections to the Rund case to the Mewar Darbar.

54.

Reply that I am glad to hear he has submitted his objections to the Darbar. It is just impossible for me to issue any orders of injunction as he desires.

E. G. COLVIN,—7-2-1920.

55.

ISSUED LETTER DATED THE 10TH FEBRUARY 1910.

Serial No. 9

56.

DEMI-OFFICIAL LETTER FROM A. T. HOLME, Esq., I.C.S., RESIDENT, MEWAR, TO THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED UDAIPUR, THE 25TH FEBRUARY 1910.

In continuation of my demi-official letter of 10th February 1910, I enclose a copy of the note about your conversation with the Maharana regarding the Jaisamand Rund.

The note made by me, after speaking to you about it the same evening that the conversation took place, ran thus ".....and how much land below the line *was now held under that decision to be khalsa*" It has since struck me, however, that it would not be possible in practice for anyone to ascertain how much land below the "elephant feet level" has become khalsa under the decision arrived at in this case by the Mewar Darbar. That is to say, a figure cannot be given which will hold good for each and every year: it would be of course possible to make an annual measurement, say, in the hot weather months, and to give the resulting figure for that particular year. Assuming, as I think one may, that there has in the past been no downward limit, except that created by the waters of the lake, to the extent of land which has annually come under cultivation, as those waters receded, by the tenants of the Run jagirdars in the villages belonging to those Jagirdars, it follows that the area of land below the "elephant feet level," hitherto cultivated by such tenants, but now declared to be khalsa cannot be a constant quantity. That area must vary from year to year in direct proportion with the distance between the "elephant feet level" line and the ultimate level of the lake water at the time of year when any further sowing of crops becomes impossible, and it also depends on the greater or less obtuseness of the angle formed by the shelving shore of the lake with the surface of the receding water.

For example, this year the lake water towards the end of January was level with the feet of the stone elephants on the dam and the area of cultivated or culturable land which has become khalsa under the Darbar's decision appeared then to be practically *nil*, whereas last year the level of the lake at the same time of year was perhaps 15 feet lower, and hundreds of acres in the jagir villages, especially on the northern banks of the Jaisamand where the slope of the shore is a gradual one, were then under cultivation below the "elephant feet level," and that potential cultivation of some future year has now all become khalsa.

In these circumstances I thought it would be safer to ascertain what the Maharana's recollection of the conversation was, before sending on the note to you. His Highness has told me that it would be impossible for him to ascertain how much land below the "elephant feet level" has become khalsa, but that he would find out what area of land of each kind *above* that level the Jagirdars still retained possession of in their villages under the Rund decision and he would also state how much land they were entitled to receive, *below* the elephant feet level, as the equivalent of the "run sirma," "run pani men," "run parat kabil zaraat," and "kura run men" entries in the Goshwara or summary of the survey papers of Sambat 1932.

I have accordingly amended the note, substituting for ".....and how much land below the line was now held under that decision to be khalsa.....," ".....and how much land below the line they were to get under the Goshwara of the Sambat 1932 survey papers"

On January 28th, 1910 the Maharana, in conversation with Mr. Colvin (Agent to the Governor-General) stated that he would find out how much land of every kind the Jaisamand Rund Jagirdars would now get under the Hathipaon line decision, above that line, and how much land below the line they were to get under the Goshwara of the Sambat 1932 survey papers, and would send a note to the Resident showing why in his opinion the decision arrived at by him was one which was fair to the Jagirdars.

57.

DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, Esq., I.C.S., RESIDENT, MEWAR, DATED AJMER, THE 5TH MARCH 1910.

Yours of 25th February re the Salumbar run.

132 A. to G. G. Raj.

I also made a note of the conversation at Udaipur on this subject, and as it has not been modified in any way since that time, it may I think be taken to represent the purport of what His Highness said at least as correctly as yours. It runs as follows :—

“His Highness said he would have a statement made showing me exactly the effect of the decision, and generally his reasons for thinking that decision fair and equitable. He said he quite understood my reasons for speaking and was glad that I had told him all that was in my mind. He wished to satisfy me.”

I understand now that, as a result of your reference to His Highness on the point, he proposes to send me only figures to show how much land the jagirdars will get above the Hathipaon line and how much land below that line they were to get under the Goshwara of the sambat 1932 papers.

But these figures approximately are known to you and me already, and they cannot have any real effect on the question which is troubling me, and which I think I fully explained to His Highness, *viz.*, how much land approximately will the jagirdars lose by this decision. Of course the quantity must vary, as always in such cases, with the level of the lake, but I hoped it would be possible to get some figures as to the amount of cultivation done in an ordinary year below the Hathipaon by the jagirdars, and a rough idea as to the proportion which the fluctuating cultivation which the jagirdars are losing bears to their total cultivation in each village.

If His Highness really wishes to satisfy me, and I feel sure he does, he will give me not merely these unsatisfactory figures that are proposed, but figures and arguments to prove a general justification of his proceedings in the matter. That is what I believe he said he would do.

58. DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, DATED AJMER, THE 6TH MARCH 1910.

In continuation of my letter of yesterday about the Salumbar Rund case, I write to say

Paragraph 57.

that of course you will not put the matter to the Maharana so as to let him think there is any

doubt or misunderstanding as to the purport of our talk at Udaipur but at the same time explain to him, as I have explained to you, the sort of information which you think I require in order to arrive at a clear agreement with or acceptance of his own view of the matter.

59. DEMI-OFFICIAL LETTER FROM A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, TO THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, No. 95, DATED UDAIPUR, THE 10TH MARCH 1910.

Paragraph 53.

Please refer to your demi-official letter of March 5th, 1910, about the Salumbar Run question.

I am very sorry that I did not make it clear, in the paragraph of my demi-official letter of 25th February beginning “in these circumstances,” that in addition to the two tables of figures for land above and land below the “Hathipaon” line which the Maharana intends to have prepared, His Highness also means to send a note explaining why the decision arrived at in the case seems to him to be a fair one. The last part of my note on the conversation runs :—“and would send a note to the Resident showing why in his opinion the decision arrived at by him was one which was fair to the Jagirdars.” Your note on this point is to much the same effect, *viz.*—

“His Highness said he would have a statement made showing me generally his reasons for thinking that decision fair and equitable.” Had the Maharana now intended, as is not the case, to omit sending the note or statement referred to in the last words of my note on the conversation, I should certainly have drawn your attention to this point in my letter of 25th February. But I quite see that I ought to have explain this more carefully in the paragraph beginning “in these circumstances.” The note of the conversation which accompanied my letter of 25th February has been accepted by the Maharana, and you may be quite sure that he will carry it out in its entirety, to the best of his ability.

What I was afraid of, and this was my only reason for referring to His Highness before sending on to you my note on the conversation was that through some verbal misunderstanding, either on the part of the Maharana or of myself, you should have been led to think that he had promised to do something which in point of fact, as it seemed and still seems to me, he could not carry out. I happened to see the Maharana's Private Secretary on the 8th instant, and I again pressed him as to whether it would be in any way possible for a statement to be given showing what the amount of cultivation was, below the Hathipaon line, in the Jagirdars' villages in an ordinary year. Pandit Gopinath replied that it was quite impossible. If measurements had been made of such cultivation, during the past 10 years or so, it would of course be possible to obtain an average figure. But so far as I know the only measurement of such cultivation ever

made was that undertaken by Colonel Herbert's orders in and soon after Sambat 1932. The lake was then full and there cannot have been much cultivation below the present Hathipaon line (which line had of course not been thought of in those days), and the Jagirdars allege, as you will remember, that they stated to the Raj surveyors that the rest of their cultivation was under water and would be measured on emerging. It would be impossible at the present time to ascertain which of the cultivation measured and recorded in and about Sambat 1932 was above and which below the Hathipaon line. When Mr. Wakefield's contour map of the Jaisamand lake was prepared in 1908 he plotted on it, I believe, only the fields immediately above and immediately below the Hathipaon line. There are probably area details available for as much land as was plotted on that map, or if the details are not available they could now be worked out from the map, but they would by no means give the whole of the cultivation below the Hathipaon line, even for the single year 1907-08 when the map was being made.

For these reasons I must still maintain that it is impossible for the Maharana to give figures on which any reliance can be placed showing how much cultivation the Jagirdars may be held to have lost, by reason of such cultivation lying below the artificial Hathipaon line. If only a rough estimate, not based on any measurements, were asked for, the estimate made on behalf of the Darbar would probably be a very small one, just as the Jagirdars' estimate, if they were asked for one, would err in the direction of being far too large. In neither case could we in any way satisfy ourselves as to the accuracy of such estimates.

As for the extent of the land *above* the Hathipaon line, which remains in the Jagirdars' possession, this will take some time to ascertain. In your letter to which this is a reply you say, unless I have misunderstood to which figures you refer, that the figures both for the land above the Hathipaon line, and for the land below that line to be awarded as the equivalent of the entries in the Goshwara of the Sambat 1932 papers, are known approximately to you and me already. The entries in the Goshwara of the Sambat 1932 papers are certainly known to me and are in my file, and it will not serve any practical purpose for the Maharana to detail them again in carrying out what he thought he undertook to do in the conversation with you in January last. But the figures for the land above the Hathipaon line in the Jagirdars' villages are not known to me at all with the exception of the various areas outside the actual run which were measured and recorded in Sambat 1932 as deriving advantage from the lake water in some way or other. The Jagirdars have constantly asserted to me that if the land below the Hathipaon line be taken away, their villages will be left with practically nothing but stony and almost valueless lands. The Maharana, on the other hand, said to me on my return from Jaisamand last January, that I must have noticed that there was a great deal of excellent cultivation in the Jagirdars' villages even this year when everything below the Hathipaon line was under water. As the result of a detailed survey of the land above the Hathipaon line which, as I have said, will take time, a set of figures will be forthcoming which will probably more or less support the Maharana's view that the Jagirdars are not as badly hit as they try to make out. If you still consider, as I infer from your letter of 5th March, that these figures will not be of any real use to you, and if you accept the Maharana's and my view that no reliable figures can be forthcoming in regard to the cultivation below the Hathipaon line, then it would perhaps be as well to ask the Maharana to content himself with sending the note explaining in detail his reasons for thinking that his decision is a fair and equitable one, and not to have a survey made at all of the Jagir lands above the Hathipaon line, which survey will probably be interpreted by the Jagirdars as the prelude to some further act of aggression, as they think, on the part of the Darbar.

60. DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, DATED AJMER, THE 14TH MARCH 1910.

Your letter demi-official No. 95, dated 10th instant about the Salumbar Run. I am very glad to hear that His Highness has the intention of sending in a note showing why the decision about the Run is fair to the jagirdars generally. I did not understand this from your previous letter.

2. I certainly do not think it is worth the trouble to have a survey made of the entire area of the jagirdars' villages above the Hathipaon. This would take a long time, and would certainly cause unnecessary excitement among the jagirdars. I should have thought it was possible to get from village papers and from such surveys as have been made in the past an approximate idea of the income from Run lands in each village, compared with the total income. The patwaries, or whatever village officials correspond to the patwaries, could probably give a fairly accurate idea, if they could be trusted to tell the truth. The lands were under Darbar management before, were they not?

Could not papers be found of that period, showing "Run" area and total area? I feel that there ought to be fairly good evidence available on this point, without going to the trouble, expense and worry of a fresh survey.

You may tell the Maharana that I do not want him to undertake such a survey on my account. The note he has promised will suffice, supported if possible, by evidence bearing on the question of the Run area compared with the total Jagir area in the Rund villages.

3. I thought that the 1932 survey showed pretty well all the land in these villages which was above water at that time-

61. FROM THE RAWAT OF SALUMBAR, No. 55, DATED THE 19TH MARCH 1910. Serial No. 10

Submits his representations regarding Customs and Salt compensation, (2) his right to Sosink villages and the village of Para, (3) certain miscellaneous rights and privileges of the Salumbar Thikana.

62. Kindly see Serial No. 7 and note of Agent to the Governor-General's interview with the Rawat on 20th January 1910. The representations of the Rawat refer to matters relating to internal administration with which it is perhaps not necessary to interfere but Agent to the Governor-General may wish to discuss the matters with the Resident when he meets him next.

A. D. S.,—5-5-1910.

63. Yes. We might remind the Resident demi-officially with reference to Agent to the Governor-General's demi-official letter* of March 14th, 1910.
* Paragraph 60 *supra*. E. G. COLVIN.
The petitions which we have received from the Rawat should have come through the Resident and they might perhaps be sent to the Resident for submission with his remarks.

R. E. HOLLAND,—13-5-1910.

Agent to the Governor-General.

64. The earlier file should have been put up with this. I think both Mr. Hill and Mr. Holme have recorded their views as regards part I of the petitioner's complaints.
Send parts II, III, IV and V as proposed and also part I if Mr. Holme's view is not on record.

E. G. COLVIN,—15-5-1910.

65. Paragraphs 22 and 30. Mr. Hill and Mr. Holme have both recorded their views on the Jaisamand Rund case.

66. Drafts to Resident, Mewar, submitted.

A. D. S.,—17-5-1910.

67. The Resident does not seem to have had an opportunity of remarking specifically on Part I. It had better be included in the endorsement.

R. E. HOLLAND,—18-5-1910.

68. ISSUED No. 131-C., DATED THE 21ST MAY 1910.

Serial No. 11

69. DEMI-OFFICIAL LETTER FROM A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, TO THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, No. 159, DATED THE 25TH MAY 1910.

Paragraph 60.

Holland has sent me a reminder about expediting my reply to your demi-official letter of 14th March 1910 about the Salumbar Rund.

I had a talk with the Maharana very shortly after that letter was received. The note he has promised to send you is not yet ready, and I think it will be some time before it is completed. His Highness wishes to have a survey made of the upland portion (*i.e.*, above the Hathipaon line) of the Jagirdars' run villages. I told him that you did not want him to undertake such a survey on your account, but he replied that he himself required the survey for the purpose of checking the statements of areas prepared in Sambat 1932, when a survey was made by order of Colonel Herbert, the then Resident.

The Maharana does not think it is possible to obtain any reliable estimate of the income from run lands in the past in each village compared with the total income. None of the villages has been under Darbar management since Maharana Sarup Singh's time (1842—61). There is a "pargana-bahi" prepared in Maharana Bhim Singh's time (1778—1828) which gives the total income of the villages, but the Maharana says it is inaccurate.

The officials who correspond to Patwaris are all servants of the Jagirdars and their statements and figures, if they were to be examined, could not be relied on.

The survey of Sambat 1932 is the only one, except Mr. Wakefield's contour survey, which has ever been made of the run and its adjacent villages.

The level of the lake at the time of the Sambat 1932 survey does not correspond with the Hathipaon level. Therefore it is not possible to say how much of the land then classified under such heads as "sirma on river," "renth on lake," "run sirma," etc., is now left above the Hathipaon line and how much has become khalsa by reason of lying below the Hathipaon line. It is, I think, certain that the *whole* area of land classed as "sirma on river," "renth on lake," "run sirma" etc., which at first sight seem to be purely run lands, is not now (since the Maharana's orders were issued declaring the lands below the Hathipaon line to belong to the Darbar) either in the possession of the Jagirdars or in the possession of the Darbar. What proportion of such lands the Jagirdars still possess and what proportion they have lost I see no means of determining, though the survey of land above the Hathipaon line which His Highness has ordered to be made may perhaps give a solution, if the resulting figures be compared with those of the Sambat 1932 survey. Even then it will be open to the Jagirdars to complain that if comparison had been made with a dry year instead of a wet one like Sambat 1932 their losses would have appeared far greater.

The Maharana has sent me a copy of the general order issued by him in August 1909, on the matters at issue between the Darbar and Salumbar. I will send you a translation of that order now if you wish, or, if you prefer it, it may accompany the Maharana's note which will eventually be submitted to you.

70. Please reply that I think it would be convenient to have a copy of the order now, together with any remarks which Resident may wish to offer upon it.

E. G. COLVIN,—8-6-1910.

71. Draft submitted.

A. D. S.,—10-6-1910.

72. LETTER FROM THE RAWAT OF SALUMBAR, No. 60, DATED THE 1ST JUNE 1910.

Brings to notice certain grievances against the Mewar Darbar.

73. Ask Resident to include the points now raised when forwarding the general memorial.

E. G. COLVIN,—8-6-1910.

74. Draft endorsement submitted.

A. D. S.,—10-6-1910.

75. May issue? I venture to think that it would be better if Mr. Holme made officially such communications as that contained in his last demi-official letter.

R. E. HOLLAND,—11-6-1910.

Agent to the Governor-General.

76. Forward to Resident for such action as he may deem proper with the request that these complaints also may be dealt with in the reply to this office endorsement No. 131-C., dated the 21st May 1910.

When I wrote my order of 8th June 1910 on Mr. Holme's demi-official dated 25th May, I had forgotten that the above endorsement had issued. Instead of the reply proposed will F. A. please issue the draft demi-official below.

E. G. COLVIN,—12-6-1910.

77. DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, DATED ABU, THE 14TH JUNE 1910.

Paragraph 69.

I am desired by Mr. Colvin to acknowledge receipt of your demi-official No. 159, dated 25th May about the Salumbar Run.

Mr. Colvin will await the note the Maharana proposes to send him. He trusts that this will not have to await the result of the detailed survey, which is apparently kindly undertaken. Mr. Colvin will be glad to receive a translation of the general order issued by the Maharana in August 1909 with the report called for in this office endorsement No. 131-C., dated 21st May 1910.

78. FROM THE RESIDENT, MEWAR, No. 374, DATED THE 1ST DECEMBER 1910.

Serial No. 12

Returns with report representations parts I, II, III, IV and V submitted by the Rawat of Salumbar.

79. Submitted to Agent to the Governor-General as verbally instructed.

R. E. HOLLAND,—22-3-1911.

80. Despatch demi-official below to Mr. Holme at once. The draft on the file may wait until Mr. Holme's reply is received.

The closed letter to Mr. Holland's address to be kept with the file.

E. G. COLVIN;—5-4-1911.

81. DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, DATED AJMER, THE 5TH APRIL 1911.

Could you kindly give me the following information, in connection with the Jaisamand Rund case:—

1. Was Sambat 1932 a year in which the Jaisamand Lake was full. I mean had the rains been below or above the normal?
2. Was there any jagir area in the land submerged by the Udaisagar? If so, names of the jagirdars.
3. Same information for Rajsamand.
4. What were the dates of the following events:—
 - (a) Original grant of Salumbar patta.
 - (b) Acquisition of Salumbar by the Parsoli family of Chohan Rajputs.
 - (c) Relinquishment of Salumbar by the Parsoli family of Chohan Rajputs.
5. Is it admitted that land and villages belonging to Salumbar were submerged in the Jaisamand lake, when the dam was built?

P. S.—Kindly let me have a very early answer on these points. I do not think that any reference to the Darbar is required. You can probably get all the information from your record.

82. DEMI-OFFICIAL LETTER FROM A. T. HOLME, ESQ., I.C.S., RESIDENT, MEWAR, TO THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, No. 112, DATED UDAIPUR, THE 8TH APRIL 1911.

Paragraph 81.

Will you kindly refer to your demi-official letter of April 5th, 1911?

The following answers to your questions are given without my having made any reference to the Mewar Darbar or any Darbar officials, so the Darbar cannot be held responsible for any inaccuracies in those answers:—

- (1) Sambat 1932=A. D. 1875-76 was a year of very heavy rainfall. The Jaisamand lake was full and threatened to burst its dam. *Vide* "Selections from the records of the Government of India, Foreign Department, Volume No. CXXIX, Report on the Political Administration of the Rajputana States, 1875-76," pages 39 to 42.
- (2) When I was discussing the case last year with the Maharana's Private Secretary I was told that it was thought that there was a Shahpura village which had been submerged when the Udai Sagar was constructed and that, notwithstanding this, Shahpura while possessing all the upland parts of that village held none of the run lands thereof. Afterwards I was told that further inquiry had shown that the lands of this Shahpura village were separated from the Udaisagar lake by an intervening khalsa village, and that therefore it was not possible to quote the case of that Shahpura village as being parallel with that of the Salumbar villages on the shores of the Jaisamand lake. The answer to your question is therefore that as far as I know there was no jagir area in the land submerged by the Udaisagar. Of course it is quite possible that there was some such jagir area when the Udaisagar was made and that the Jagirdars were at the time given other land in exchange somewhere else in Mewar. In those days Jagirs were shifted about much more than is the case now-a-days.
- (3) As far as I know, Bhana village now belonging to the Rawat of Asind is a case in point. I think it is probable that a part of the lands of village Bhana was submerged when the Raj Samand lake was built. Asind is a comparatively recent creation (about A. D. 1818, *vide* the Erskine Gazetteer of Mewar, page 89) and who owned Bhana when the Raj Samand was constructed I cannot say. It may have been either khalsa or jagir, for all that I know.

Apart from Bhana I know of no jagir area which was probably submerged by the construction of the Raj Samand lake.

- 4(a) The original grant to Chondaji ancestor of the Rawat of Salumbar must have been given about the end of the 14th or the beginning of the 15th century (*vide* the Erskine Gazetteer, pages 16 and 17). When the Salumbar estate as such first came into the possession of the family I do not know for certain. The present

Rawat of Salumbar States (*vide* printed papers of 1908, page 28, last paragraph but one) that the family first acquired possession of Salumbar in the time of Rawat Kishan Das, the fifth in succession to Chondaji. Whether this is correct or not I cannot say without enquiry.

4(b) A. D. 1668 (*vide* printed papers of 1908, page 41, paragraph 15); "about the year 1670 A. D." (*vide* my detailed report of 1910, section 64).

4(c) A. D. 1692 (*vide* printed papers of 1908, page 41, paragraph 15).

(5) I think it is admitted by the Mewar Darbar that lands belonging to Salumbar (which was at the time in the possession of Parsoli and not of the Chondawat family from whom the present Rawat of Salumbar inherits) were submerged in the Jaisamand lake when the dam was built (*vide* my detailed report of 1910, section 67).

I intend to make over charge to Kaye on the morning of April 24th and to leave Udaipur the same day.

83. Submitted.

R. E. HOLLAND,—19-4-1911.

84. TELEGRAM FROM THE AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO THE RESIDENT, MEWAR, DATED THE 21ST APRIL-1911.

Your demi-official dated 8th April. Please refer to your private demi-official letter to Pinhey, dated January 1st, 1909.

We seem to have no papers showing result of your proposed visit to Jaisamand for purpose of examining land below Salumbar villages and demarcating Salumbar run lands.

Kindly send report on this point before leaving Udaipur.

85. TELEGRAM FROM THE RESIDENT, MEWAR, TO THE HON'BLE THE AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, No. 124, DATED THE 22ND APRIL 1911.

Your telegram 21st April. Inspection of all Rund land round the Jaisamand lake was

Paragraph 84.

made by me in January 1909 as proposed but no demarcation could be carried out because the Salumbar and other Jagirdars refused to send representatives or to take part in proceedings so long as those proceedings were based on assumption that the area of land below elephant feet line which Jagirdars would get would be confined to that given in (a) and (b) of Mr. Hill's note paragraph 2 of 9th May 1908 sent to you with my demi-official letter of 9th October 1908.

Paragraph 22.

In the absence of Jagirdar's representatives demarcation would have been valueless. It was always understood by Maharana that demarcation which he asked me to undertake would be subject to above limitation.

86. Reply to telegram received. Case resubmitted.

R. E. HOLLAND,—24-4-1911.

87. The draft below may issue.

E. G. COLVIN,—25-4-1911.

88. ISSUED No. 65-P., DATED THE 9TH MAY 1911.

Serial No.

89. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM COLONEL J. L. KAYE, RESIDENT, MEWAR, TO THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED UDAIPUR, THE 22ND MAY 1911.

The Maharana came into Udaipur from Nahar Magra on the evening of the 18th and left for Kumalgarh yesterday morning. He paid me a visit on his arrival and I called on him on the 19th and 20th. As regards official topics of conversation I could get him to discuss nothing but the Salumbar case. His Highness' thoughts seem to run on this matter continually.

In regard to that case he asked me to write and enquire whether you could not find it convenient to visit Udaipur during the rains and give him an opportunity of showing you all his documents in regard to the Rawat of Salumbar's claims. He said that, if he might sit with you for a couple of hours a day for a few days, he could convince you from his papers that he was entirely in the right. The request seems to be the same as His Highness preferred last year, which was mentioned in Holme's confidential demi-official letter to you of the 1st August 1910.

To accede to the request would, I fear, mean devoting several days to the case, as I gather the records which the Maharana wishes to be allowed to show you are voluminous.

In regard to certain other pending matters, such as extradition of accused persons to other States in Rajputana, the Maharana sent his Private Secretary to see me. Pandit Gopinath promised me replies, in these cases, which I trust may come before long.

His Highness was very friendly and seemed in excellent health. He said he would be away for about a fortnight only this time.
It has been very hot here lately, unusually so they say.

90. CONFIDENTIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO THE MAHARANA OF UDAIPUR, DATED ABU, THE 26TH MAY 1911.

I have received through Colonel Kaye Your Highness' kind suggestion that I should visit Udaipur during the rains and that I should give Your Highness an opportunity of showing me all the documents in regard to the Rawat of Salumbar's claims.

It will give me great pleasure to visit Udaipur during the coming monsoon season, and I shall be much obliged if Your Highness will let me know what would be the most convenient time for my visit. Any date after the middle of July is likely to suit me very well and so far as I am concerned, I should like it to be about the 20th of that month. But I could come later, if that should be more convenient to Your Highness.

As regards the Rawat of Salumbar's case, I hope that we may regard the Matampursi and the Jaisamand Rund portions as closed. In sending my report on the latter case to the Government of India, I have finally decided to recommend that since Your Highness has been so constantly and so closely in touch with the Resident throughout the proceedings, and since he has given his full and free consent to the action which Your Highness has taken, it would scarcely be appropriate to require a reversal of what has been done. I have indicated that my own opinion is not entirely in accordance with that of Mr. Hill or Mr. Holme in the matter, but that I am unwilling, in all the circumstances to press my personal opinion too strongly, and I have accordingly advised against any interference in the matter.

I sincerely trust that this will be acceptable to Your Highness and that in dealing with the remaining complaints of the Rawat it will be possible for Your Highness to treat the Rawat with such consideration as may be due to him. I shall be very glad to go into these with Your Highness, when I come to Udaipur, and I am confident that we shall be able to arrive at decisions in regard to these complaints, which will be fair and reasonable and acceptable to all concerned.

I have marked this letter confidential, as I do not wish my recommendations in regard to the Jaisamand Rund case to be generally known, until the reply from the Government of India is received. Yet I am anxious that Your Highness should be acquainted with my attitude in the matter without further delay. I look forward to meeting Your Highness in July.

91. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO COLONEL J. L. KAYE, I.A., RESIDENT, MEWAR, DATED ABU, THE 26TH MAY 1911.

Paragraph 89.

Many thanks for your letter of 22nd instant.

I am glad to hear that you have seen the Maharana, and that your visits were of a friendly and cordial character.

I felt sure that the Salumbar case was what was most in His Highness's mind at present. I think it is well that he should know without delay the attitude which I have finally decided to take in this matter. There is no doubt that his mind will be greatly relieved thereby and that the sooner this relief is given the better.

I shall be obliged therefore if you will forward to His Highness as soon as possible the letter which I now enclose. I add also a copy for your own information. It explains, as you will see the hint which I gave in my last letter, I feel sure that after His Highness has seen this, we shall find him much more amenable.

92. FROM FOREIGN, No. 1064-I. A., DATED THE 24TH (RECEIVED 27TH) MAY 1911. Serial No. 14
Conveys orders on this office letter No. 65-P., dated the 9th May 1911, regarding Salumbar Rawat's memorial claiming the entire Rund lands of the Jaisamand Lake.

93. Copy, with copy of Agent to the Governor-General's letter, may be sent to the Resident with request that he will inform the Rawat that Agent to the Governor-General is unable to inter-

Serial No. 13.

fere on his behalf in the matter.

The Mewar Darbar may also be informed to the same effect and Resident may add that the Government of India consider that in resuming the entire lands the Mewar Darbar have shewn some want of consideration.

Resident might also be told that the question of the action to be taken as regards the four other memorials of the Rawat will be discussed during Agent to the Governor-General's approaching visit to Udaipur.

R. E. HOLLAND, — 29-5-1911.

Agent to the Governor-General.

94.

E. G. COLVIN,—31-5-1911.

95.

Draft letter submitted.

96.

A. D. S.,—5-6-1911.

R. E. HOLLAND,—5-6-1911.

97.

ISSUED No. 102-P., DATED THE 7TH JUNE 1911.

Serial 1

98. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM COLONEL J. L. KAYE, I. A., RESIDENT, MEWAR, TO THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED UDAIPUR, THE 20TH JULY 1911.

With reference to your conversations, while at Udaipur, with His Highness the Maharana, on the subject of the Rawat of Salumbar, I enclose a copy of a letter*, dated the 15th instant,

* In Roman Urdu.

from His Highness, in which he suggests that—

- (a) he be permitted to remove Rawat Onar Singh from the administration of the Salumbar Thikana and require him to reside permanently at Udaipur, and
- (b) that he should ask Maharaja Sir Partab Singh to arbitrate on the subject of the resumption of the Run lands of the Jaisamand Lake.

Since the receipt of the letter I have had an interview with the Maharana on the subject. I pointed out to him that your approval of the proposal to remove Rawat Onar Singh from being Rawat of Salumbar was qualified by the condition that a "haqdar" from the same family should be selected to succeed him and did not contemplate the administration of Salumbar by the Darbar and asked him to tell me frankly what his proposal really means. His Highness replied that the removal of Onar Singh and the appointment of a successor to him as Rawat of Salumbar entailed the imposition of a heavier punishment than he wished to inflict, that his proposal would have the effect of—

- (i) allowing Onar Singh to retain the honours of Rawat and to receive a suitable allowance from the Thikana revenues,
- (ii) enabling his son, should one be born, to succeed him as Rawat on his death and of
- (iii) making it possible to reinstate Onar Singh in administrative power over Salumbar should his future conduct make such a concession possible.

He stated that he had no intention of confiscating the Thikana and that he would allow Onar Singh to pay visits to Salumbar from time to time.

I then asked His Highness—

- (1) How he proposed to carry on the administration of Salumbar? and
- (2) What steps he would take in the very possible event of Rawat Onar Singh refusing to obey his order and come to reside at Udaipur?

To these questions he replied that—

- (1) He would merely associate a Manager (Munsarim) with the Kamdars and Faujdars of Salumbar, who would generally watch and control the administration by the Thikana Officials and be responsible for the finances. A suitable allowance would be fixed for Onar Singh and the balance of the revenue of the Thikana, after paying for the administration, would be placed in deposit to the credit of the estate.

The Salumbar officials would be allowed to consult the Rawat in regard to the administration of the Thikana.

- (2) He would give no details as to how he would proceed if compelled to use force, but the Maharana assured me that the Rawat has no armed force with which he could oppose the Darbar and that armed rebellion need not be feared nor would the action taken tend to excite the active sympathies of other Nobles of Mewar in behalf of the Rawat.

Such is the scheme to which His Highness has asked me to obtain your approval and sanction. There can, I think, be little doubt that, if tempered hereafter with mercy and consideration, the proposal to make Rawat Onar Singh a political prisoner rather than permanently remove him from his position as one of the Nobles of Mewar, has its advantages in that the punishment may not be of a lasting nature nor affect the prospects of any son who may be born to Onar Singh.

Should you sanction His Highness' proposal for dealing with the undoubted insubordination to the Darbar of Rawat Onar Singh and should the Rawat be inclined to dispute the Darbar's authority by refusing to reside in Udaipur, a communication from this office informing him that the action of His Highness has your approval will, presumably, be effective in bringing him to

obedience, since his insubordination is probably based only on a hope of interference between the Darbar and himself by the Political Officers of the Government of India.

With regard to arbitration in respect of the Run lands, I presume that Maharaja Sir Partab Singh would, in any case, find it impossible to spare the necessary time to arbitrate in the matter. In which case His Highness might be asked to suggest some one else as arbitrator.

FROM HIS HIGHNESS MAHARANA FATEH SINGH; TO COLONEL J. L. KAYE, I.A., RESIDENT, MEWAR, DATED UDAIPUR, THE 15TH JULY 1911.

Hāl men Bare Saheb ka Yahān par ānā hua aur Salumbar ke mutaliq kagzāt unko dikhāye, gaye to Salumbar Raoji ki ziyadatiyen, gustakhiyen, wa adūlhukmiyen dekh kar Bare Saheb ki ye rāy hui kē Moujuda Raoji ko kharij kiye jawen aur unki jagah dusrā haqdār ho usko muqarār kiya jawe. Is par mene kahā ke kharij kārna to meri rāy men thik nahin hai lekin hamesha ke liye unke akhtiyār le liye jāwen aur wo hamesha Udaipur hi men rahā karē Thikāna men nahin jāwe.

Jaisamand ki Rūn bābat Bare Saheb kā jab yahan mosam sardi men ānā hua-ūs waqt Bare Saheb ne mujhe kahā thā aur is waqt bhi kaha ki is men gaur hona chahiye. Chun ke Bare Saheb ne is bāre men do tin martabā kahā thā is par mene kāha ke Rūn par Salumbar ka koi haq nahin hai. Ap kahate hain to men sab kagzāt Mahārāj Partab Singhji ko batlāunga. We donon tarfi Sabut dekhen wa uska bhi dekhen. Phir we apni rāy zahir karenge wah karungā.

99. DEMI-OFFICIAL LETTER FROM THE HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO LIEUTENANT-COLONEL J. L. KAYE, I.A., RESIDENT, MEWAR, No. 432; DATED ABU, THE 25TH SEPTEMBER 1911.

Please make my apologies to His Highness the Maharana for the long delay in answering your confidential demi-official of 20th July about Salumbar. Owing to judicial cases, Darbar work,

Paragraph 98.

and the threatened famine, I was extraordinarily busy all last month, and have had no leisure until now to take up this case.

2. I have thought very carefully over the Maharana's proposals and while I quite recognise that they involve less drastic treatment than the simple ejection of Rawat Onar Singh, still I must say that I regard with no little misgiving the proposal that the management of the Thikana should be taken over by the State. I think this measure would be viewed with much suspicion and dislike by the other Sardars, they are much less interested in the personal fortunes of the present Rawat than in the question of principle which is involved in State control under such circumstances. I should be glad to know what precedents there are for either one course or the other and whether one alternative would be more in accordance with customary usage than the other.

3. If it should be decided later to take any action on the lines suggested by His Highness, I think it would be very desirable that the Munsarīm to be appointed to manage the Thikana under the Darbar should be some one wholly unconnected with the Udaipur State at present, a man of weight and independence and not a mere myrmidon of the Darbar. A man who has occurred to me in this connection, though he is not perhaps entirely suitable, is Pandit Sukh Deo Pershad, C.I.E., late Minister of Jodhpur, who is at present unemployed. Another man who would do is Shyam Sunder Lal, formerly Diwan of Kishengarh, and now in Gwalior. An appointment of this kind would, I think, inspire the feeling that the interests of the Thikana would be duly cared for.

4. It would be necessary, too, to have some thing on paper in regard to the omissions and insubordination of the present Rawat. I learned a lot about these, while last at Udaipur, but there should be something on our record. I gather that there would be no difficulty in compiling an overwhelming list.

5. As regards (b) the Maharana made to me in conversation the suggestion that Maharaja Sir Partab Singh should be asked to arbitrate in regard to the Run lands. It is not quite what I should like, because I would prefer that the Maharana should himself restore the Run lands, provided affairs in Salumbar are brought into proper order. But if other things are arranged I would not object to this proposal upon arbitration and I think Sir Partab Singh's name and opinion would carry much weight. I do not know if he could spare the time, and I have not as yet said anything to him on the subject, nor do I think that he had better be approached at all, until the matter at (a) in your letter is further advanced.

6. I note that the Maharana in his letter of 15th July says that Rawat Onar Singh would be permanently removed from the Salumbar Thikana and would not be allowed to go there again, whereas you write in your letter that His Highness said that he would be consulted as regards the administration and would be allowed to pay visits to Salumbar from time to time, and that His Highness spoke also of the possibility of the Rawat's reinstatement. I suppose these small discrepancies were due to His Highness weakening a little from his first stand point.

100. DEMI-OFFICIAL LETTER FROM LIEUTENANT-COLONEL J. L. KAYE, I. A., RESIDENT, MEWAR, TO HON'BLE MR. E. G. COLVIN, C.S.I., I.C.S., AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, No. 61-C. B., DATED UDAIPUR, THE 5TH OCTOBER 1911.

I have duly communicated the purport of your confidential demi-official letter No. 432, dated the 25th September 1911, dealing with

Paragraph 99.

Salumbar affairs, to His Highness the Maharana,

but have been unable to discuss the questions involved with him at this time owing to his being occupied with the observance of the Dasera ceremonials.

As to the question asked in the 6th paragraph of your letter, the divergence between the treatment which His Highness proposed to mete out to Rawat Onar Singh as given in His Highness's letter of the 15th July and that mentioned in my letter of the 20th idem, was due to the explanation given to me, in conversation, by His Highness subsequent to my receipt of his letter, when I asked him to explain to me frankly his intentions in regard to the future treatment of Onar Singh should the proposals made in his letter received your sanction.

101. Further communication may be awaited and the papers filed *protem*.

H. WILKINSON,—9-10-1911.

102. E. G. COLVIN,—9-10-1911.

103. DEMI-OFFICIAL LETTER FROM W. H. J. WILKINSON, ESQ., I.C.S., FIRST ASSISTANT TO THE AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, TO LIEUTENANT-COLONEL J. L. KAYE, I. A., RESIDENT, MEWAR, No. 530, DATED ABU, THE 12TH OCTOBER 1911.

Please refer to the correspondence ending with your demi-official letter No. 61-C. B., dated the 5th October 1911, on the subject of Salumbar affairs.

Paragraph 100.

I am to send you a copy of a translation of a Kharita dated 3rd September 1911 from Onar Singh of Salumbar and to enquire whether the Rawat is, in fact, showing any change of attitude towards the Darbar.

He has written a number of letters to Mr. Colvin who will be glad if you will acknowledge these on his behalf and inform the Rawat that he is unable to correspond direct with him in these official matters.

104. CONFIDENTIAL DEMI-OFFICIAL LETTER FROM LIEUTENANT-COLONEL J. L. KAYE, I. A., RESIDENT, MEWAR, TO W. H. J. WILKINSON, ESQ., I.C.S., FIRST ASSISTANT TO THE AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA, DATED UDAIPUR, THE 7TH NOVEMBER 1911.

*Confidential No. 530.

Please refer to your demi-official letter * of the 12th October last on the subject of Salumbar affairs.

I have made the communication directed to Rawat Onar Singhji.

I have also made enquiries as to the Rawat's present attitude towards the Darbar. His Highness the Maharana tells me that Onar Singhji is at present quiet and submissive *through fear*: but that there is no real change in attitude.

The Rawat is here now and has been since the Dasehra. I have seen much of him and heard more. All the other Sardars on duty are with the Maharana at Nahar Magra only Salumbar is left here. I have begged him to speak personally to His Highness and by personal discussion attempt a solution of his difficulties: but he says the Maharana will not give him an opportunity of conversation.

He will no doubt want to see the Hon'ble Mr. Colvin when he arrives here and discuss his grievances.

105. I gather from what Colonel Kaye tells me that His Highness is not disposed to fall in with the suggestions made in my letter of 25th September 1911. Moreover it appears that it is not his intention that Sir Pratap Singh should "arbitrate" in regard to the restoration of the Rund lands but merely that he should look at the papers and express his opinion as to whether the Maharana is justified in his proceedings. This is scarcely what I meant and I fear the matter will not make any progress on such lines. We can only wait for His Highness' reply. I understood there was to be a distinct restoration and that Sir Pratap Singh's duty would be to see how much should be restored: I can clearly remember my conversation on this point with the Maharana, on my last visit to Udaipur, and now he said a line must be drawn somewhere—otherwise the Rund lands would include the entire bed of the Jaisamand lake.

106. I saw Rawat Onar Singh at Udaipur on November 12th and I gather from him that his present grievance is that the Maharana is making a *paccka* bund which will have the effect of bringing the entire "Rund" area under water. I pointed out to him that in objecting to this he was really resuscitating his claim to the Round and that in present circumstances this was

extremely unwise. His best course at present was to accept the decision on this point in a spirit of obedience and not to continue in a line of opposition and defiance towards the Maharana. He would gain nothing by that; whereas if he submitted patiently something might be done for him in course of time. I am still hopeful that the present decision about the Rund will in time be modified. These notes may be filed.

E. G. COLVIN,—24-11-1911.

107. FROM THE RESIDENT, MEWAR, NO. 8-C. B., DATED THE 6TH JANUARY 1912. Serial No. 16

Forwards copy of a letter from the Rawat of Salumbar regarding resumption by the Mewar Darbar of certain lands in the Jaisamand Rund.

108. The action proposed by the Resident may perhaps be approved but it would be more correct to say that the orders of the Agent to the Governor-General were based on those approved not issued by the Government of India.

A. D. S.,—20-1-1912.

109. H. WILKINSON,—21-1-1912.

Agent to the Governor-General.

110. As proposed, saying first that I regret I am unable to reconsider the orders which have been communicated to him.

E. G. COLVIN,—21-1-1912.

111. Draft submitted.

A. D. S.,—23-1-1912.

112. H. WILKINSON,—23-1-1912.

113. ISSUED NO. 69-P., DATED THE 26TH JANUARY 1912. Serial No. 17

114. It is perhaps inadvisable to take any action at present. The Maharana is ill, and if he were well it is doubtful if he would do anything towards a settlement of this question, except under the most severe pressure, and even then there would be no real improvement in the situation.

If His Highness did anything notably unjust or tyrannous we should hear about it at once.

It appears best to leave matters to time—the relations between the Maharana and the Salumbar Chief may change for the better with a change of persons which is likely to be not very far distant. The present Maharana knows that the case is well known to the Agent to the Governor-General and Government of India and will no doubt go gently.

H. WILKINSON,—7-12-1912.

Agent to the Governor-General.

115. No action is advisable at present with the Maharana in his present weak condition. But I think an effort should again be made to induce better relations when next I visit Udaipur. And the file may be put up before that. Possibly Lord Hardinge's recent speech may have some effect on the Maharana. I learned from Colonel Kaye while I was at Udaipur that a number of "dhons" imposed on the Salumbar Estate had recently been withdrawn—and possibly a better feeling may supervene.

E. G. COLVIN,—8-12-1912.

116. FROM THE RESIDENT, MEWAR, NO. 364, DATED THE 2ND (RECEIVED 4TH) DECEMBER 1912. Serial No. 18

Forwards an appeal from the Rawat of Salumbar to Government of India against the order of the Local Government refusing to interfere in the dispute regarding the Jaisamand Rund.

117. The memorial does not raise any point of argument that has not been considered before.

A. D. S.,—20-1-1913.

118. The case may be taken to Shahpura, where Colonel Kaye may be able to say whether the attitude of the Maharana has at all changed.

H. WILKINSON,—20-1-1913.

Agent to the Governor-General.

119. I think we may inform petitioner that the circumstances of this whole case have already been before the Government of India and that as the memorial brings to notice no new point of argument which has not been considered before, it has been withheld.

120. My recent demi-official letter to Colonel Kaye written from Abu about a fortnight ago should be on the file.

Take the file to Shahpura.

E. G. COLVIN,—22-1-1913.

121. Draft to Resident, Mewar, submitted.

122. A. D. S.,—22-1-1913.

H. WILKINSON,—24-1-1913.

123. ISSUED No. 57-C, DATED THE 25TH JANUARY 1913.

Serial No.

224. The Maharana of Udaipur sent me word sometime ago that he thought perhaps I had overlooked the fact that the water in the Jaisamand lake sometimes rose above the contour of the Elephant's feet. The line he had adopted for the Rund did not cut-out the Rund area of the jagir villages altogether.

I enquired how often this had happened in the last ten years and he has now sent me the "Naksha" below which shows that it has happened once in the last ten years that is in Sambat 1966.

File this in Jaisamand Rund File.

125. Statement showing measurement of rain water received in the Jaisamand tank, from Sambat year 1960 to Sambat year 1970.

Serial No.	Sambat year.	MEASUREMENT OF TANK.						REMARKS.
		Measure- ment of rain.	Water level below elephant's foot.	Rise of water level.	LAST WATER LEVEL FROM ELEPHANT'S FOOT.			
					Below.	Above.		
		in. ct.	ft. in.	ft. in.	ft. in.	ft. in.		
1	1960	28 44	16 11	15 5	1 6	...	Was empty, no mea- surement taken.	
2	1961	7 76	...	1 6		
3	1962	15 71	5 6	2 3½	3 2½	...		
4	1963	17 61	13 1	7 5	5 8	...		
5	1964	9 58	11 6	2 7½	8 10½	...		
6	1965	21 54	14 9	6 ½	8 8½	...		
7	1966	27 50	14 1¼	16 ½	...	1 11		
8	1967	23 80	2 7	2 6	0 1	...		
9	1968	12 25	6 2¾	1 6¾	4 8	...		
10	1969	25 80	11 6	8 1	3 5	...		
11	1970	31 35	7 3	6 3½	0 11½	...		
12	1971	4 32	5 5	0 1		

RAJPUTANA AGENCY

POLITICAL BRANCH.

GRIEVANCES OF THE RAWAT OF SALUMBAR AGAINST MEWAR.

(JAISAMAND RUND.)

1

No. 465, dated Udaipur, the 23rd December 1907.

From—C. H. A. HILL, Esq., C.I.E., I.C.S., Resident, Mewar,

To—C. C. WATSON, Esq., I.C.S., First Assistant to the Hon'ble the Agent to the Governor-General, Rajputana.

I have the honour to invite a reference to Major Pinhey's official letter No. 412, dated 23rd August 1906, regarding the Salumbar *Matampursi* case, in which he made certain recommendations as to the action to be taken in the event of the Mewar Darbar not proceeding in the manner which the circumstances, as then known, seemed to indicate as correct.

2. The Hon'ble the Agent to the Governor-General consented to defer any action thereon pending the result of an enquiry into the rights of the case which I had undertaken to conduct; and I have now the honour to submit for his information the results of that enquiry.

3. The proceedings are compiled under the following five headings, viz.—

* * * * *

(iii) Run (the alluvial of the Dhebar Lake).

* * * * *

(v) Conclusions.

As all the claims, counter-claims, evidence and results are therein set forth at (I regret to say) great length, I do not propose to recapitulate them in this letter, but to confine myself to reporting, for the Hon'ble the Agent to the Governor-General's information, my subsequent proceedings.

* * * * *

9. The results, then of my proceedings are :—

(c) His Highness' agreement to consult me as to any action that may be taken in dealing with Salumbar.

* * * * *

10. On the question whether the results thus achieved will materially and permanently ameliorate the relations between His Highness and Salumbar it is too early yet to pronounce an opinion. There were circumstances connected with the appointment of Rawat Unar Singh to Salumbar which render his subsequent conduct peculiarly exasperating; and, unless the Rawat really acts upon the advice I gave him, and abandons his attitude of irreconcilable resistance to all requests from the Darbar, I have not much hope of improvement. It is most unfortunately the case that the present Rawat is unstable as water. He can do nothing without consulting the Maji, and is surrounded by people whose direct interest it is to perpetuate the traditional quarrel between the Darbar and Chandaji's representative. On the 14th December I insisted on his deciding matters for himself and would allow the attendance of no one; but I have little doubt that, on my departure, he has submitted to the reproaches of his people for not taking their advice, and that he would, if it were possible, revoke all he has said and done. It is, indeed, quite possible that it may hereafter be represented that the Rawatji signed the paper (enclosure C) under compulsion. He endeavoured to pave the way for a colourable presentment of the proceedings in this light by saying he would do anything if I gave the *Hukm*, and by enquiring whether it was my *Hukm* that he should write the letter. I said it was no question of an order; that I had come over to Salumbar solely out of consideration for the interests of the *Thikana*, and that, if he rejected the advice I had given him, I should go away with regret, but that I certainly would give no orders as to his acceptance of it. If he rejected it I should leave without the letter, and His Highness would probably feel that no conciliatory

measures would be of the smallest use. Moreover, as I pointed out, it made no practical difference to the merits of the case whether he signed the renunciation of his claims to the *Matam-pursi* or not, since the decision disposed of that in any case. I trouble Mr. Colvin, with regret with these particulars, because they in my opinion, indicate that there is but slender hope that so weak a character will ever be able to withstand the evil influences which, for 7 years, past, have effaced all the individuality Rawat Unar Singh may once have possessed. His health is bad and he has no son; and his surroundings, and the conditions of the past 7 years, have all tended to undermine the mental strength of a character naturally amiable but hopelessly weak.

11. In conclusion, and with reference to the course adopted in this particular case, I desire to point out, with some emphasis, that we had no *locus standi* in this dispute; that Salumbar had no business to represent his case as he did, and that it concerned a matter of internal interest with which it was no business of mine to interfere. I mention the matter because (a) I do not consider that this case should form a precedent for more or less formal proceedings and reports in future disputes of an analogous kind, and (b) the Darbar, in consenting to enter upon the whole question, and placing at my disposal all their papers in the case, would greatly regret their complaisance in the matter if they thought that it would be cited as a precedent. So much do I regard His Highness' action as exceptional that I would ask the Hon'ble the Agent to the Governor-General, if he concurs in the above view, to authorize me to express to the Maharana his acknowledgments for the manner in which he has permitted access to his papers and for his courtesy and fairmindedness throughout the enquiry. Moreover, if Mr. Colvin will add an expression of his appreciation of His Highness' readiness so promptly to send the Maharaj Kunwar to Salumbar, I have no doubt that that appreciation will be greatly valued and will tend to the healing of this deplorable quarrel.

List of Enclosures—

- (1) Appendices A and B.
- (2) Memoranda of enquiry—
 - * * *
 - III. Run.
 - * * *
 - V. Conclusions.
- (3) Exhibits A. to S.

APPENDIX A.

Communication made to Salumbar by Mr. Hill on 14th December 1907, at Salumbar.

As to the Run, as I said before, I am not going to enquire in detail; but your claim to the whole Run is absurd. You know now that the *Parwana* giving you the whole Run is a forgery; and before I found that it was false I thought it must be because it was impossible that the whole Run could be yours since Korabar and Khalsa villages also surround the Dhebar lake. The demarcation of your villages and rights is for the Boundary Settlement Officer. All I can declare is that you are not entitled to the whole.

Memoranda of enquiry.

MEMORANDA OF ENQUIRY.

III.—RUN.

A. Salumbar's Claim.—As stated to Major Pinhey this claim is that “the land submerged by the lake belongs exclusively to our patta.” Consequently as the lake dries up, the alluvial should all belong to Salumbar. The evidence adduced then, and before me by the Rawat consists of:—

* This has been disposed of and need not be further considered.

† This is entitled to no greater weight than the documents examined under heading ‘I—Matam-pursi’—but a copy is attached, Appendix O.

(i) The* *Parwana* of Maharana Amar Singh, Sambat 1765 (Appendix B).

(ii) †Captain Cobbe's letter, dated 1st October 1826, to Rawat Padam Singh.

(Incidentally complaint is made that the boundary of one of the alluvial villages, Kaduni, though once settled, has again been questioned and many complaints of loss are made.)

2. Major Pinhey, in examining the case, adds to the Rawat's evidence "a report from Colonel Brooke in 1855." There is no such report; but in paragraph 17 of Captain Brooke's letter No. 42, dated 14th February 1853, occur the words "enough was elucidated" (I presume this means "elicited" from (see context) *the Agents of the Salumbar Chief*) to prove that the alluvial of the Dhebar belonged of right to Salumbar "and" (sic) "for which—as for the alluvial of the Dhebar—the Rawat held Sanads signed by the Political Agent, Captain Cobbe."

I omit the individual cases of aggression alleged on both sides, as such cases must be left for settlement by a special officer on the spot after the main issue has been disposed of.

3. *B. His Highness' case.*—(i) The Paurana of 1765 has been disposed of; but I have been furnished with, and attach copy of the Darbar's reply (Appendix P.) to Salumbar's representation on the subject.

(ii) Salumbar claims the whole Run or alluvial of the Jaisamand Lake. This, the Darbar point out, is absurd, inasmuch as half the villages surrounding the lake are the property of other Jagirdars, or Khalsa. A list (Appendix Q) of these, with ownership, is attached. (I have verified on the map.)

(iii) In the representation to the Darbar, forwarded by Major Pinhey, Salumbar complained that the Darbar prevented the erection of channels on south of Jaisamand to convey away the lake water for irrigation, etc. The Darbar's reply is that this has not yet been ordered, but that such is the desire.

(iv) In the list of grievances submitted by Salumbar, and forwarded to the Darbar by Major Pinhey, was the complaint that a certain number of villages had been ruined, and deserted by the people, owing to the Forest preservation which had fostered tigers, etc. This complaint was not repeated to me, and is not, of course, to be taken seriously; for, if His Highness and the Rawat were on good terms, the latter would encourage the * game preservation. However, I questioned His Highness about it, and he disposes of the list as follows:—

(a) One village, *Karori*, does not belong to Salumbar.

(b) *Maori* was deserted owing to the famine.

(c) *Tharodi* has no jungle anywhere near it.

(d) *Beuti* is not a Salumbar village. (It belongs to a Kothari who lives at Salumbar; but he holds this village from the Darbar.)

I may remark here that these villages are not more deserted than a good many of Salumbar's to the south where the cause of ruin was the absence of arrangements during the famine. The Darbar assert that there has been no prohibition against grazing in the jungles of the Salumbar villages complained of.

(v) A letter from Rawat Jodh Singhji, dated Sambat 1952 (Appendix R), admits the right of the Darbar to Shikar in the above areas.

(vi) The Darbar denies that there has been a survey of Karori and as Salumbar will not produce the alleged copy the complaint must be ignored.

4. *C. Summary.*—A glance at the map, with the villages indicated shows that those on the north-west, north and north-east of the Jaisamand lake are nearly all either khalsa or the property of other jagirdars. The claim of Salumbar to the alluvial of the *whole* lake is thus of course untenable. What Salumbar might claim is the cultivation of the alluvial of so much of the shores of the Jaisamand as is within the boundaries of villages the property of Salumbar. Those villages are well-known; but it is to the interest of the officials of both parties to raise as much confusion as possible in regard to their correct boundaries. On the part of the Rawat, complaint is made that he is asked to assist in the boundary settlement of boundaries which are well-known. On the side of the Darbar, complaint is made that the uncertainty as to the boundaries is as often as not caused by the action of the Rawat's officials, and that the Rawat then refuses to assist in the settlement.

5. There is, to my mind, no fundamental obstacle to a complete and final settlement of the Run dispute, provided it is once made clear that it is only a question of survey and settlement, and that no exaggerated claims on either side will be entertained, and that the question is one which rests, not on the discredited documents of the past, but on the admitted facts of the present; that is to say—

(a) Claim to the *whole* of the Run must be abandoned by Salumbar.

(b) Claim to oust Salumbar from villages admittedly of the Patta must be abandoned by the Darbar.

* As a fact within my own knowledge game is very scarce near Jaisamand.

- (c) An officer trusted by both must be appointed, given full evidence on both sides, with power to summon witnesses, etc., and with instructions to report to the Darbar.
- (d) The Darbar cannot be required to forego their right of decision on such officer's report, but His Highness will I think agree to consult the Resident and to issue no orders contrary to his advice.

* * * * *

V.—CONCLUSIONS.

Having now dealt fully with each head of this intricate and troublesome case, and having recorded, under each of the three important heads, the opinion formed after balancing the evidence adduced by the contending parties, it only remains to summarise, very briefly, the inference drawn, and then to indicate what seems to me to be the proper course to pursue with a view to effecting a settlement.

* * * * *

5. *The settlement of the Run* dispute is not one for the Resident, but for the Boundary Settlement Officer; and all that it is necessary to record here is, that Salumbar has failed to make out a case of such tyrannous encroachment as would justify intervention by us; while his claim to the whole Run rests on a forgery.

* * * * *

APPENDIX B.

Salumbar's claim as stated in the reign of Maharana Sarup Singhji.

I. Darbar's reply at the time.

and II. Comments now added by His Highness.

132 A. to G. Raj.

G. *Sanad No. 1 bearing 6 Seals.*—The Salumbar authorities produced a *Tamba Patra*, dated Sawan Sudi 7th, Sambat 1427 purporting to have been granted by Maharana Lakhaji.

At the bottom of the *Tamba Patra*, dated Sambat 1427, the following is recorded and signed by Kunwar Mokulji in Sambat 1437 at the age of 9 years. "This *Tamba Patra* was granted by Daji Raj Bhajji Shri Chundaji in Sambat 1427. It is confirmed by order * * signed by Bhai Mokulji in presence of Shri Daji Raj. My age is 9 years. Sambat 1437. The above is correct."

Maharana Lakhaji was installed in Sambat 1439. How can the *Tamba Patra* be dated Sambat 1427 or 12 years earlier?

(1) Mokulji is represented to have written that this *Tamba Patra* was granted by Daji Raj (Maharana Lakhaji) in Sambat 1427. History shows that Maharana Lakhaji succeeded to the throne in Sambat 1439. How can the above sentence of the *Tamba Patra* be considered genuine, as Maharana Kshetra Singhji ruled in Sambat 1427?

(2) Mokulji is represented to have given his age as 9 years at the time but history shows that Mokulji was from a wife whom Maharana Lakhaji married after his succession to the throne. Supposing Maharana Lakhaji was married in Sambat 1439, the year he came to the throne, and a son was born to him the same year he could be 9 years of age only in Sambat 1449 and not in Sambat 1437. This shows a difference of 12 years. In the circumstances, how can the sentence alleged to have been written by him be considered genuine? The difference will be still greater if Maharana Lakhaji married many years after Sambat 1439. According to the *Tamba Patra*, which is dated Sambat 1427, the difference is 12 years and according to the date of the signature, viz., Sambat 1437 the difference is 12 years more. The total difference thus amounts to 24 years.

The *Tamba Patra* purports to have been granted by Maharana Lakhaji and bears the seal of Maharana Partab Singhji of Sambat 1624. But Maharana Partab Singhji succeeded to the throne in Sambat 1628, then how can the seal be dated Sambat 1624. Partab Singhji existed 9 generations after Lakhaji.

It is clear from page 305, Volume I, of the History that Maharana Lakhaji succeeded to the throne in Sambat 1439. When the Maharana did not rule in Sambat 1427, how can the *Tamba Patra*, purporting to have been granted by him in Sambat 1427 be considered genuine? The difference is of 12 years.

Page 145 of Volume II of the History shows that Maharana Partab Singhji ascended the throne in Sambat 1628 and that Maharana Udal Singhji ruled in Sambat 1624. In these circumstances, how can Maharana Partab Singhji's seal, dated Sambat 1624, be considered genuine? Besides this Maharana Partab Singhji ruled 9 generations, i.e., 180 years after Lakhaji.

Salumbar's claim as stated in the reign of Maharana Sarup Singhi.

I. Darbars reply at the time,

and

II. Comments now added by His Highness.

The *Tamla Patra* of Sambat 1427 contains the signature of Pancholi Behari Dass.

Behari Dassji was contemporary with Maharana Sagram Singhi and Jagat Singhi and not with Lakhaji—then how does his signature appear in the latter's (Lakhaji's) reign?

Pages 960, 974 and 977 of Volume III of the History shows that Pancholi Behari Dassji existed during the rule of Maharana Sagram Singhi, who ascended the throne in Sambat 1767 and died in Sambat 1790. How can Behari Dassji be supposed to have signed a document 340 years before his existence, and how can the signature represented to be his own be considered genuine?

Sanad No. 2.—Maharana Mokulji's *Parwana*, dated Pos Sudi Maharana Mokulji succeeded to the throne in Sambat 1454. 9th, Sambat 1443, to the address of Chandaji calling him from Mandu.

From Page 310 of Volume I of the History it is clear that Maharana Mokulji succeeded to the *gaddi* in Sambat 1454. The *Parwana*, dated Sambat 1443, purporting to have been written by Maharana Mokulji cannot therefore be considered genuine. There is a difference of 11 years.

Sanad No. 3.—Maharana Mokulji's *Parwana*, dated Phagan Sudi 13th, Sambat 1444, to the address of Chandaji asking him not to go to Mandu and to remain here.

Maharana Mokulji succeeded to the *gaddi* in Sambat 1454. How could he possibly have written the *Parwana* in Sambat 1444 or 10 years earlier?

Page 310 of Volume I of the History shows that Maharana Mokulji succeeded to the *gaddi* in Sambat 1454. The *Parwana*, dated Sambat 1444, is therefore entirely false.

Sanad No. 4.—Maharana Mokulji's *Parwana*, dated Asoj Sudi 13th Sambat 1447, to the address of Chandaji regarding ceremonies and customs connected with Matampursi.

Maharana Mokulji ascended the *gaddi* in Sambat 1454. How could he have written the *Parwana* in Sambat 1447?

Page 310 of Volume I, of the History shows that Maharana Mokulji ascended the *gaddi* in Sambat 1454. How can the *Parwana*, dated Sambat 1447 purporting to have been granted by Maharana Mokulji be considered genuine? There is difference of 7 years.

Sanad No. 5.—Maharana Vikramaditya's *Parwana*, dated Chait Budi 7th, Sambat 1572, to the address of Rawat Khangari regarding his inability to pay a condolence visit owing to illness.

Vikramadityaji ascended the *gaddi* in Sambat 1591 while the *Parwana* is dated Sambat 1572. How could he have written the *Parwana* 18 or 19 years earlier? Rawat Khangari did not exist in Sambat 1572. Rawat Sain Dasji and his son were slain in Sambat 1624 when Chitor was conquered in Maharana Udai Singhi's time. How does the *Parwana* mention that they were slain in Sambat 1572 or 52 years earlier?

Maharana Vikramadityaji ascended the *gaddi* in Sambat 1588, *vide* page 25 of Volume I of the History. Todd's Rajasthan shows that the Maharana succeeded to the *gaddi* in Sambat 1591. How could the *Parwana* have been written by Maharana Vikramadityaji in Sambat 1572, as Maharana Sagram Singhi and not Maharana Vikramadityaji ruled in Sambat 1572?

The *Parwana* mentions that Sain Dasji and his son were slain at Chitor.

This *Parwana*, dated Sambat 1572, mentions that Rawat Sain Dasji and his son were slain at Chitor, but page 82 of Volume I of the History shows that Rawat Sain Dasji was slain in Sambat 1624 when Akbar invaded Chitor. How does the *Parwana* mention that Sain Dasji was slain in Sambat 1572 or 52 years earlier? Sain Dasji was slain in the time of Maharana Udai Singhi and Vikra-

madityaji ruled prior to Udoi Singhji. How could Vikramadityaji have mentioned this fact in his Parwana, as the incident relates to Maharana Udoi Singhji's time? Further the genealogical table lately submitted by Salumbar to the Resident shows that Sain Dasji was contemporary with Maharana Udoi Singhji. The Parwana dated Sambat 1572 previously submitted by Salumbar shows that Sain Dasji was slain prior to Sambat 1572. Which of the statements made by Salumbar can be considered to be correct?

Rawat Khangarji was contemporary with Maharana Udoi Singhji which fact is stated in the list lately submitted by Salumbar to the Resident, while Maharana Vikramaditya's Parwana, dated Sambat 1572, previously submitted by Salumbar purports to have been addressed to Khangarji. Which of the statements made by Salumbar should be considered as correct?

O.—*Literal translation of a letter from Captain Cobbe to Rawat Puddum Singhji of Salumbar, dated 1st October 1826.*

The *Chataund* to be levied from all the Sardars has been fixed. As regards the *Chataund* to be recovered from you by the Darbar, the Darbar have granted you 6 annas out of the customs collection of the Gingla Chowki—the Darbar have agreed to accept 6 annas out of the *Chataund* to be recovered from you. The revenue of the (*desh*) estate may increase or decrease, the Darbar will have no claim to recover *Chataund*, *barar* from you. You will have to render service to the Darbar like other Sardars. The Dhebar Run will remain in your possessions formerly *sada-mad* (*Sada*=always). There will be no interference in this. There will be no (*utar char*) change in your villages. Your villages of Chibora, Dewli, Barara and Padla will remain in your possession. No Chitti (meaning dhons) will be sent to your villages from the Kherwara Thana. You will arrange to provide supplies as ordered on payment. Be assured from me.

P.—In the first place the dispute about the very boundary between Methuri and Sarari was settled in the Sambat year 1923 in the presence of Amin Jwala Prashad. There is no mention, in the decision, of this parwana being produced at the time. Moreover, if the parwana of the *muafi* grant of the whole of the Run were genuine, as contended by them, how could the Salumbar authorities have allowed the boundaries of the village of Macturi to extend on to the Run.

Secondly.—The Parwana is unworthy of credit also for the following reason:—

The construction of the Jaisamand lake was commenced in Sambat 1744 during Maharana Jai Singhji's reign and completed in Sambat 1748 in about five years. After this the Maharana Jai Singhji lived up to Sambat 1755, *i.e.*, 11 years and was succeeded by Maharana Amar Singhji. It is stated by Salumbar that the parwana was granted 10 years afterwards in Sambat 1765, *i.e.*, 20 years after the commencement of the construction of the lake. If it was necessary to grant a parwana of the *muafi* of the Run it could have been obtained in Maharana Jai Singhji's time when the construction of the lake was begun, why then would they tacitly have suffered loss for 20 years.

Further the Jaisamand rund is not only occupied by Salumbar villages but also by Khalsa and Korabar, Bhadesar and Siyar Jagirdars' villages. In the circumstances how is it possible that a parwana of the *muafi* of the whole run should have been granted exclusively to Salumbar. The Raj Samand Lake was built one generation before the Jaisamand Lake and the whole of its *run* and other rights belong to Khalsa. Similarly the whole of the *Run* and other rights of the Udaisagar Lake belong to Khalsa. It is improbable, therefore, that when such practice prevailed elsewhere, *Muafi* of the whole *Run* of Jaisamand (when the *Run* of the Lake is not wholly occupied by the village of Salumbar) would be granted to Salumbar. Another reason why the parwana cannot be considered genuine is that the following sentence occurs in the parwana "No *dhons* or Khalsa will ever be sent to Salumbar." But this has never been observed and on the contrary whenever it is considered necessary, Salumbar is always punished with *Dhons* (Khalsa); etc. In the Parwana which Salumbar alleges deals with the *Muafi* of the *Run*; there are various other irrelevant subjects such as the visit of the Maharana to Salumbar and bringing the Rawat for *Talwar-bandhai*. But in pattas or parwanas granted by the Darbar it is not necessary to write irrelevant matters. Besides this the words occurring in the parwana *Salumbar padaria so lare lawi ne Udaipur talwar-bandhi* are very much like those used in the dialect and style of writing in Salumbar. The words *Lare lawi ne* are not used in Udaipur. The dialect is one peculiar to Salumbar and is different from the language used in the State pattas and parwanas. Further the meaning of the parwana is contrary to the old custom of the State as it is not customary for the Darbar to proceed to Salumbar for the *Matampursi*. How then can the parwana be held to be genuine?

Q.—*List of the villages bordering on the Jaisamand lake.*

1. Gamri	Khalsa.
2. Junijar	Patta Korabar.
3. Navijar	Patta Korabar.
4. Pujoari	Patta Korabar.
5. Medura	Patta Bhadesar.
6. Kua	Patta Bhadesar.
7. Thori Chhaparwali	Patta Korabar.

Q.—List of the villages bordering on the Jaisamand lake—contd.

8. Thori Magrawali	Patta Korabar.
9. Semal	Patta Korabar.
10. Methuri	Khalsa.
11. Patan	Patta Salumbar.
12. Paeri	Patta Salumbar.
13. Gingla	Patta Salumbar.
14. Sarari	Patta Salumbar.
15. Kotra	Khalsa.
16. Kotra	Patta Siyar.
17. Singawali	Patta Salumbar.
18. Rathora-ki-Bhagal, hamlet of Makar Sima	Patta Korabar.
19. Makar Sima	Patta Korabar.
20. Badela	Patta Salumbar.
21. Gati	Khalsa.
22. Bhimpura	Patta Salumbar.
23. Dani Chiboda	Patta Salumbar.
24. Daulpura	Patta Salumbar.
25. Cheebora	Patta Salumbar.
26. Namla	Patta Salumbar.
27. Roban	Khalsa.
28. Birpura	Khalsa.
29. Gator	Khalsa.

R.—Translation of a communication, dated Mangsar Sudi 11, Sambat 1952, from the Foujdar and Kamdar of Salumbar to the Sarara Court.

Last year when His Highness visited Jaisamand you wrote to ask us to preserve the forest in the limits of the villages of Seria, Toda, Thara, Tharora, etc., in the Salumbar patta. This was done and His Highness came and while returning after his *shikar* he granted us permission to go. Recently an application was received from the Jagirdar of Thara of this patta to the effect that Chandawat Hamir Singhji came from Jawas and being unaware of the restriction shot a boar in the Forest of Sari. On this account a sowar *dhons* has been sent which is causing great trouble. In reply to the petition we fully instructed the Jagirdar not to allow such a thing to occur in future and he will take the utmost care about this. Hamir Singh who shot the boar unknowingly has been cautioned. It is therefore requested that the sowar *dhons* may be removed from Thara. Last year when we received an order (for *shikar*) and you wrote to us on the subject we immediately made all arrangements. This year when His Highness visited Jaisamand we received no order. You also did not write to us about it and therefore we made no arrangement.

If it is desired in future that arrangements should be made here for *shikar* and if you write to us we shall inform all the people in our patta and make necessary arrangements and if anyone shoots through ignorance you may inform us and we shall summon him immediately and give him proper warning. You should not send *dhons*, etc., direct. Please send reply.

2

No. 373-C., dated Camp, the 9th February 1908.

From—C. C. WATSON, Esq., I.C.S., First Assistant to the Agent to the Governor-General, Rajputana,

To—C. H. A. HILL, Esq., C.I.E., Resident, Mewar.

I am directed to acknowledge the receipt of your letter No. 465, dated the 23rd December 1906, and of its enclosures, regarding the Salumbar *Matampursi* case.

Serial No. 1.

* * * * *

5. As regards the other questions involved, it does not seem necessary for Mr. Colvin to express any opinion at this stage, but he sincerely trusts that, the main question having been settled, both sides will approach them in a conciliatory spirit, and that a mutual arrangement will be arrived at. His Highness the Maharana, having succeeded in his contention on the main issue, will no doubt be disposed to meet the Salumbar Rawat's reasonable requests in a liberal spirit in minor matters.

* * * * *

3

Telegram, dated the 15th October 1908.

From—RAWATJI of Salumbar,

To—The Hon'ble the Agent to the Governor-General, Ajmer.

Aggressive encroachments are made in my ancient hereditary land Jaisamand alluvial this your honour knows already the present crop is being carried away forcibly I persistently represent this matter to Mahakmakhas and Residency but no mitigation of my troubles has been favoured though I have submitted a good deal of proof. In the Residency I am prepared to adduce more moreover I hold a letter from Captain Cobbe as regards *run* it has been brought into effective force forever till Colonel Lawrences time I hold papers to the above effect therefore kindly vouchsafe some consideration to these.

4

Dated Salumbar Mewar, the 14th October 1908.

From—Rawat ONAR SINGHJI of Salumbar,

To—The Hon'ble the Agent to the Governor-General in Rajputana.

Inviting your honour's kind reference to my Kharita, dated the 13th June 1908, regarding my case instituted in the Residency, I beg to submit the following representation in reply to your honour's order in the hope of receiving some redress :—

- (a) I am informed through your honour's Office that my case is still being considered by the Residency.
- (b) In the time of Captain Trench, I was given to understand that instead of the resumption of the whole Run into Khālsā, the state is about to define my rights to the alluvial land according to the survey of Sambat 1932 and the Boundary Settlement of Sarāri and Maeturi.
- (c) Seeing that the survey of Sambat 1932 cannot be a fair settlement of my rights, I have submitted proofs in the Residency as regards my recent possessions, through my Kharitā, No. 13, and some proofs as regards my past possession through a Kharitā No. 15.
- (d) Proofs adduced through Kharitā No. 13, clears my possession from Sambat 1906 and the various measures adopted by the State.
- (e) I desire to lay before your honour too some detailed proof, adduced in the Residency through Kharitā No. 15, together with copies of a few documents bearing on it, so that it may become clear to you that the State never objected to Salumbar's possession of the alluvial. Nay my right to it is clearly recognized in these agreements and decisions which were the only means of establishing peace in Mewār :—
 - (i) You know full well that Mewār came under the sway of the British Government by the treaty of 1817, A. D. I need not dwell at length on the then condition of Mewār. It is borne out by a reference to any history.
 - (ii) Thanks to Colonel Tod and Cobbe for introducing peace in Mewār, under the circumstances, it is necessary for me to show which of my matters have been settled by Mr. Cobbe and what weight do these settlements hold :—
 - (a) On the 1st October 1826, Captain Cobbe concluded the following agreement between the State and my Thikānā, namely, "that the Customs Chowki of Ginglā village shall be made over to the State in lieu of Chatund and I shall be given possession over my resumed villages; and the alluvial shall remain in my possession as it had ever been." See copy of the letter (marked A) attached, and copy of the restoration deed (Uthāntri) which will make out that 20 of my villages have been restored to me (marked B).
 - (b) These Settlements have been effected after great assurance and investigation. In as much as I was given possession through respectable Government Officials, of those villages which were not in my possession. See copy of a letter from Captain Cobbe dated the 16th October 1826, attached herewith (marked C).

(c) In the times of Colonel Lawrence, these Settlements had been strictly superintended. Nay, up to that time, its file too was present in the office. See copy of a Kharitâ by Colonel Lawrence attached (marked D) herewith. By an examination of a copy of the Mewâr Vakil's report, attached to the above Kharitâ, your honour will understand that the State has been following the Settlement of Captain Cobbe.

When the Government Officers have granted me a Khâtri (deed of assurance) at the time of establishing the first systematical Government in Mewâr; when no objection whatever has ever been urged by the State against it; nay when the Thikana was compelled to forcibly abide by those settlements by a reference of them to the Government Officers; when the file bearing on the above seems to be present in the Residency Office till Colonel Lawrence's time, under these circumstances, supposing these papers to be destroyed owing to certain reasons, has some difference come over these agreements and rights, which were settled by those officers who were the pioneers of establishing the authority of the Government in Mewâr? The state too has never before objected to Salumbar's possession of an alluvial. Nay up to the last year, attempts were made to effect settlements in the light of Boundary disputes. I have clearly represented to the Residency the above statements and my possession. To annex the whole of my Run and then to persuade the Resident to accept my rights according to the survey of Sambat 1932, would be the worst fortune that can befall me. The Resident Saheb is an up-right and just Officer. But my troubles remain unmitigated as ever. Therefore I pray your honour, to invite the Resident Saheb's kind consideration to the above circumstances and facts.

ROMAN VERSION.

A

(Sd.) BHANDÂRI JASRÂJ.

(Sd.) COBBE.

(After the usual preface):

Apranch Sârâ Sardârân ke Chatund thahri to Râj ke Chatund kâ rupayâ Shri Darbâr men lewân so Ginglâ kâ dân ki Chowki men chah âni Shri Darbâr Râj ne bagshâ so Râj ke Chatund Mângâ jin men thi Chha âni shri Darbar lene ko qabul kiyâ, Ab desh ki paidâish ghatti wo badti wo ab Râj sun chatund, barrâr, bâbat Râj seh dâwâ nahin, aur sardârân kâ sarishtâ Mâfik Râj pan shri Darbâr men Châkri karogâ, aur *Dhebar ki Run Sadaband Mafak Raj ke Sabit Rahega*, is men kadi kod weh gâ nahin. Râj kâ gâmân men kadi utar Charh hogâ nahin aur cherborâ, gâm Deovli, gâm Barodâ, gâm Pâdlo, gâm Râj kâ Râj ke Sâbat hai aur Râj kâ gâmân men Kherwârâ kâ Thâna ki Chitthi whe gâ nahin. Rasad basad hukam likhâ jin mâfak rupyâ Sâte pahunchâi dewogâ, aur hamâri taraf sun gamân Khâtar rakhshi aur Kâm Kâj kagad patar likhbo Karshi. Sambat 1883 Asoj Bid Amâwâsh dated 1st October 1826 A. D.

SHRI RAMJI.

B

(Sd.) BHANDÂRI JASRÂJ.

Salumbar Râwat Padam Singhji râ pattarâ gâm zabt huwâ so pâchi uthantri kar dewâni jin ri bigat :—

Shri Darbâr zile sâhji shivlallji haste :—

1. Gâm Jharol.
1. Gâm Kherâr.
2. Gâm Nâmlâ.
1. Gâm Bhimpurâ.
2. Gâm Chebora Doyâ.
1. Gâm Ginglâ.
1. Gâm Singawli.

1. Gâm Mahuri.
1. Gâm Sârpur.
1. Gâm Daulatpur.
1. Gâm Borad.
1. Gâm Pâtan.
1. Gâm Sarsâri.
1. Gâm Devli.

1.

Sâheb râ zilâ râ :—

1. Orwariâ.

1. Barôdô.

1. Hajya, Kheri ro Kagad.

1. Pipli râ gahnawat ro kagad.

1. Pârd.

2. Karawli râ rahaut tâmba patra.

Sahâdpur.

1. Besundi ro kagad.

Dehât Padam Sing to wâ guzâsh kar diya gaye. Dated 1st October 1826.

(Sd.) H. COBBE.

SHRI RÂMJÎ.

C

(Sd.) BHANDÂRI JASRÂJ.

(Sd.) H. COBBE.

(After the usual preface.)

Apranch Râj ko kâgad Asoj sudi Pûnam ki miti ko âyô. Samâchâr bânchyâ. Râj ne gâm orwariâ, Cheebora, Deoli bâbat likhi so is maqaddmâ men Kherwârâ ke Thâne munshi Naimuddin ke nâm parwânô bhejho hai so in gâmânpar Râj ko amal karawegâ aur siâlû ko bhog liyô whegâ so diwâi dewegâ. Kâm Kâj kâgad pattar likhâwo kârshi. Sambat 1883 kâ Kati Bid 2. Dated 17th October 1826, A. D.

D

(Sd.) BHANDÂRI JASRÂJ.

(Sd.) S. P. G. LAWRENCE.

(After the usual preface.)

Aj guzarne kaifyat wîklâi Mewâr se daryâft huâ Ginglâ kâ Dâni jo arse 30 baras se Khâlse men shri Darbâr ke hai Râj ne miti Baisâkh Sudi 13 ko, âdmi bhej Dâni Shri Darbâr ko uthâi diyâ aur ab wahân ke dâni ki âmadni Râj lete ho alâwâ iske moze Kharkâ ke Dâni se hisâb ba miti Baisâkh Sudi 13th Mângte ho jispar misal daftar se daryâft kiyâ to zahir huâ Râj Shri Captân Kâb Sâheb bahâdur ke waqt se dâni Gingle kâ Khâlse men Shri Darbâr ke Râj se liyâ gayâ aur is ke ewaz men Chatund Shri Darbâr se Râj ko Muâf Karwâ yâ wo bāt âj tak barâbar Chalâ âtâ hai darmiyân men Kabhi Râj ne aisâ gair wâjbi tantâ uthâyâ nahin. Ab nayâ fasâd Kharâ Karne se barâ taâjub nazar âyâ ki is taur kâ bandobast hone par Râj ne dastandâji kar apne malik ke hukm ki tâmil nâ ki, yeh bāt Khilâf sirishtë Râj ki taraf se zahur men âyâ. Is ziadti ke hone se jo kuch hogâ so Râj ko dikh jâshi. Munâsab ki ab Râj kadim dastur parwâne chale wa rakhâwe. Apne Mâlik ko râzi rakhâwshi. Is wâste naql Kaifyat ki is Kharite ke sâth bhejh likhte hai ke Râj naql mazkur se wâkif ho is mukaddme kâ mufassil jawâb likhâya bhejâwshi. Dêr karâwshi nahin. Aur kâm Kâj hameshâ likhâwshi. Samwat 1913 ka Sâwan Bid 13. Dated 19th July 1856 A. D. Muqâm châwni Neemuch.

SHRI RÂMJÎ.

E

Hukam huâ ke Naql hâzâ bazariye Kharitâ ba murâd talab Kaifyat nîzd Rawatji Salumbar Mursil shawad wa tarjumâ Angrezî gardeede khidmat Sâhab Agent Bahâdur Rajputana Mursil Shawad. Marqum 29th July 1856 A. D.

(Sd.) S. P. G. LAWRENCE.

Kaifyat aztaraf Sahi wâlâ Urjan Singh wa Lâlâ Muthrâdâss wîklâye Mewâr tarikh 27th July Sambat 1856 Eswi.

Khudawandâ kâgaz Mehtâ Sâheb âyâ us men Mundarj ke Kâgaz Dâni Chowki Ginglâ se mustadarak huâ ke Baisâkh sudi 13th se Rawatji Salumbar batakrur kâmdâr Khud Dâni Chowki Ginglâ Khud letehâin wa niz musammiyân sipâhi wa Rorâ patwâri Mulâzim apne ko bhej Kâmdâr Dâni Chowki Kharkâ se barnamat ke lâyâ, ki jis roz se Dâni Ginglâ Kâmdâr Rawatji lete hain us din se âj tak ki âmadni wa jamâ wegairâh hisâb Chowki Kharkâ ham ko Samjhâ do, jo ki Chowki Dâni Ginglâ Kaptân Kâf Saheb Bahadur ne Sambat 1883 ke sâl se Khâlse ke bashamul dâni Shri Darbâr farmâi; us din se âj tak kabhi Rawatji ne Majâhmat Chowki mazkur se nahin ki. Aur ab Rawatji mamduh ne zabardasti Chowki Dâni Ginglâ par qabzâ kar liyâ hai. Sahab Kalân Bahadur se arzkâr ek Chaprasi Ajanti bhej Kâmdâr Rawatji ko Chowki Mazkur se barkhâst Karâ intzâm âindâ Karayâ jâwa lihâzâ arz hai ki janâbwâlâ se ek Chaprâsi jâkar Kâmdâr Rawatji ko Chowki Dâni se barkhâst Karâ den aur âindâ ko fahmaish Rawatji ko ho jâwe ki majâmahat Dâni se na Kare. Wâjib jân arz Kiyâ.

5

No. 41-C., dated Camp, the 20th January 1909.

Endorsement by the First Assistant to the Agent to the Governor-General, Rajputana.

- (1) Letter dated the 9th January 1909, from the Rawat of Salumbar, and its accompaniments.
(2) Telegram dated the 12th January 1909.

Serial Nos. 3 and 4.

Forwarded in original to the Resident, Mewar, for disposal.

2. The Rawat has been informed of the action taken.

6

Abstract translation of a Vernacular Khat, dated the 21st December, 1909, from Rawat Onar Singhji of Salumbar, Udaipur State.

After usual compliments States that he has received a petition from the Zamindars of the Salumbar Thikana residing in villages situated in the Run and Pichhor of Jaisamand Lake through the Zilladar of Mewar to the effect that:—

“By constructing a dam across the Jaisamand Lake, land belonging to their villages remains submerged under water. That the State Officials do not allow them to irrigate even the small portion of land which does not remain so, nor allow their cattle to drink water. On their complaint to His Highness the Maharana at Jaisamand the latter ordered that they can quit villages of the Salumbar Patta and settle in Birpura (Khalsa village) where land will be allotted to them for cultivation. But that they are not prepared to quit villages in which they have been residing for the past several years.”

Adds that if the State will continue to keep such harsh attitude towards the Thikana it is feared that all its 19 villages (situated in the Rund of Jaisamand) will be deserted and the Thikana will be put to an unbearable loss.

Prays for the Hon'ble the Agent to the Governor-General's intervention in the matter,

7

No. 29, dated Salumbar Mewar, the 8th January 1910.

From—Rawat of Salumbar, Mewar,

To—The Hon'ble Mr. E. G. COLVIN, C.S.I., I.C.S., Agent to the Governor-General, Rajputana, Camp.

Your Honour will be aware that the Salumbar case had been formally filed in the Meywar Residency, from where during Major Pinhey's incumbency it was intimated to me through his letter dated 19th August 1906 that the case had been entertained and the same was under consideration.

Subsequently when Mr. Hill took charge of the Residency of Meywar, he had held out hopes of a speedy and sympathetic decision of the case through his letter No. 1159, dated 18th July 1907.

132 A. to G. G. Raj.

Mr. Hill had further so far moved in the matter that he persuaded the Thikana of Salumbar to compromise one of its most cherished privileges in order that the way for further settlement of the case may be facilitated. But so far nothing seems to have been done by the Residency although the case has been almost two years pending before it.

In the meantime, disregarding the pendency of the case in the Residency, the Meywar State has issued fresh orders which are highly detrimental to the Thikana. I have, therefore, decided to submit the main points of the case to your consideration under the following five heads :—

Part I.—Regarding the Jaisamand Rund.

Part II.—Judicial powers and jurisdiction of the Salumbar Thikana.

Part III.—Customs and Salt Compensations.

Part IV.—Regarding certain villages held in Charitable Muafi and the village of Para.

Part V.—Certain miscellaneous rights and privileges of the Thikana.

The Part I is ready and herewith submitted while the others will follow in due course and so soon as they are completed.

A perusal of the representation will show that the points urged by the State of Meywar are neither true in fact nor substantiated by reliable evidence.

In the end I beg to add that the troubles of the Thikana have now become practically unbearable and that a sympathetic representative of the Sovereign like your goodself will extend to the case early and favourable attention.

8

No. 39, dated Salumbar Mewar, the 30th January 1910.

From—Rawat ONAR SINGHJI of Salumbar, Mewar,

To—The Hon'ble the Agent to the Governor-General, Rajputana.

In submitting herewith to your consideration a copy of the Mehkmakhas Order, No. 11414 dated Possud 12th Sam at 1966 (22nd January 1910). I humbly take the liberty to submit the following representations :—

- (1) As submitted in my letter No. 29, dated 8th January 1910, I have decided to submit a detailed review of the points urged by the state in the Mehkmakhas Order No. 2400, dated the 9th of August 1909 to your goodself's consideration under five Parts, of which two have already reached your kind hands.
- (2) It is not hidden from your honour that except the Mehkmakhas Order, referred to above, which is the first of its kind. I have not been awarded any other formal copy of the proceedings and decisions in my case. Consequently I have submitted my objections to the above order for the just consideration of the State.
- (3) But, unfortunately for the Thikana, instead of vouchsafing justice, adverse Orders, like the one mentioned above, are issued by the Mehkmakhas which cause great harrassment to the Thikana ryots.
- (4) Now that the whole of my rebutting arguments and evidence have been submitted to the consideration of the Mehkmakhas and a part of it to your goodself, nothing would more meet the ends of justice than that I should be favoured with a regular decision on the same and not that harrassing orders like the above should be issued to enforce unconditional compliance with the Mehkmakhas Order No. 2400.
- (5) Under these circumstances, I beg to request that a temporary injunction be ordered restoring the practice in vogue.

In conclusion, I have to appeal to you as being the only authority whose influence can save the best interests of the Thikana.

Apologising for the trouble.

ENCLOSURE.

Copy of an Order from the Mehkmakhas, dated the 12th of Possud Sambat 1966, endorsed with an Order, No. 11414, dated Possud 12th Sambat 1966 to the effect that copies of this order be sent to the Faujdar, Kāmdar Salumbar and Kurabār, enjoining them to proclaim its contents to all the villagers concerned.

Ordered.—That the Hakim Magra be instructed to assemble the villagers of all the villages, belonging to Salumbar and Kurabâr, situate near the Jaisamand Rund and order them to comply as per written below, failing to do which they will render themselves liable to be punished for non-compliance :—

“ If you want to carry the Jaisamand water in order to irrigate the lands of your villages situate outside the Rund Jaisamand you will be permitted to do so only by paying the usual water-rates. Now in case you will carry the water to irrigate your above mentioned lands, outside the Jaisamand Rund, without agreeing to pay the irrigation charges, severe punishments, will be meted out to you. Similarly you will not be allowed to utilize the Ootâ (Escape-Channel) water without the payment of a water-tax. Since the Jaisamand Tank belongs to the state, you are not entitled to utilize its water without paying water-rates. Moreover no Sanad has been granted to you regarding an exemption from the irrigation charges. Since you have hitherto carried the Lake water free of any charge, you are now ordered to comply with this order. And in case you pay the water-rates to the State and Salumbar and Kurabâr Officials do not deduct the amount paid by you on account of irrigation, while, on the contrary they continue to levy the additional cess, proper orders will be given on your representing the matter to this Court.”

(Sd.) BHOPAL SINGH.

9

Dated Camp, the 10th February 1910.

From—H. W. WILKINSON, I.C.S., First Assistant to the Agent to the Governor-General, Rajputana,

To—Rawat ONAR SINGHJI, of Salumbar.

The Hon'ble the Agent to the Governor-General wishes me to acknowledge the receipt of your letter dated the 30th

Serial No. 8.

January 1910, relating to your case with the Mewar Darbar in regard to irrigation from the Jaisamand lake. He is glad to hear that you have submitted your objections to the Darbar. It is quite impossible for him to issue any orders of injunction as you desire.

10

No. 55, dated Salumbar, the 19th April 1910.

From—Rawat ONAR SINGHJI of Salumbar,

To—The Hon'ble Mr. E. G. COLVIN, C.S.I., I.C.S., Agent to the Governor-General, Rajputana.

In continuation of my letter No. 30, dated the 12th January 1910, I beg to submit herewith

Serial No. 3 Judicial Powers, etc.

for your goodself's consideration Parts III, IV and V of the Thikana Representation regarding

(1) Customs and Salt Compensation (2) Sasnik villages and the village of Para and (3) Certain miscellaneous rights and privileges of the Salumbar Thikana and hope that the same would be vouchsafed early and favourable attention.

11

No. 131-C., dated Abu, the 21st May 1910.

Endorsement by the First Assistant to the Agent to the Governor-General in Rajputana.

Forwarded to the Resident, Mewar to whom the petitions should have been submitted in the first instance. The

Representations Parts I, II, III, IV and V submitted by the Rawat of Salumbar in regard to certain matters in dispute between him and the Mewar Darbar.

Resident is requested kindly to favour the Hon'ble the Agent to the Governor-General with his remarks and opinion on the grievances of the Rawat.

12

No. 374, dated Udaipur, the 1st December 1910.

Endorsement by the Resident in Mewar.

Serial No. 11.

Representations Parts I, II, III, IV and V submitted by the Rawat of Salumbar in regard to certain matters in dispute between him and the Mewar Darbar.

Returned, with report appended, to the First Assistant to the Hon'ble the Agent to the Governor-General Rajputana, with reference to his endorsement No. 131-P., dated the 21st May 1910.

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* * * * *

Opinion on Part I of the Representation.

My opinion on the grievances of the Rawat of Salumbar, as set forth in Part I of the Representation, may be found from a perusal of the detailed and summarised remarks ; here I resume it briefly for convenience sake.

1. Salumbar has no shadow of a just claim to the run of all the villages, khalsa and jagir which border on the Jaisamand.

2. Rawat Kesri Singh II of Salumbar, in the time of Maharana Sarup Singh, and the present Rawat, Onar Singh, have endeavoured to make good their claims against the Mewar Darbar by using forged documents, knowing or having good reason to believe them to be forged. For his conduct in this respect the present Rawat would probably if he lived in British India, have rendered himself liable to a criminal prosecution. In Mewar he deserves at least to forfeit the confidence of his Darbar and the assistance of the British Government.

3. With the exception of the letter from Captain Cobbe to Rawat Padam Singh (Appendix B of Part I of the Representation) Salumbar has no written authority of any kind, whether grant, patent, sanad, patta, or parwana, giving him the ownership of any run lands whatever, as a separate entity, in the Jaisamand.

With regard to the letter (Appendix B, a) it does not appear to have been written after inquiry from or consultation with the Mewar Darbar or any State officials of the time :

(b) statements or assurances contained in the letter, other than the statement relating to the run of the Jaisamand, have not been acted on by the Darbar at any time since the issue of the letter, and political officers have never treated such statements and assurances as being of the nature of a guarantee which the British Government must see that the Darbar complies with.

4. Salumbar has no claim to any preferential treatment whatever, in the Jaisamand over other jagirdars. When the Jaisamand dam was built and a number of villages of the Salumbar jagir, situated in what is now the bed of the lake, became thereby submerged, it was the Parsoli family of Chohan Rajputs and not the Chondawats from whom the present Rawat descends who owned the Salumbar jagir and the villages thus submerged.

5. Similarly, and on the same grounds, there is no reason why Salumbar or the Salumbar tenants should receive free irrigation facilities from the Jaisamand or its outlets. The Chondawats from whom the present Rawat descends spent nothing on the construction of the lake and have not at any time contributed even the smallest sum towards its maintenance.

6. Part I of the Representation is full of misstatements and inaccuracies. These are too numerous to be gone into here ; a reference to the sections of my detailed remarks is therefore given marginally.

Sections of my remarks : 11, 13, 17, 18, 20, 23, 25, 29, 30, 31, 35, 38, 48, 49, 52, 53, 54, 55, 58, 59, 61, 65, 68, 71, 73, 74, 76, 80.

7. It is the custom in Mewar that in lakes and tanks which have been built at the expense of the Darbar, the run or land up to high water mark belongs to the Darbar, all round the lake or tank, whether such run land lies immediately below a khalsa or a jagir village. Salumbar and other jagirdars owning villages on the Jaisamand lake say that the run lands below their villages belong to them. But they can produce no valid written authority for such ownership. On the other hand, they no doubt have long possession of such run lands in their favour. This is really the crux of the whole question.

8. On the question of Salumbar's long possession of the run lands below Salumbar villages on the Jaisamand, the Darbar say :—

That the Jaisamand has, as a rule and with the exception of seasons of very short rain-fall, been full of water, there having until comparatively recently been no proper system of irrigation canals taking water out of the lake. Therefore the strip of run land actually sown with crop in the Salumbar villages as the lake water gradually dried up during the non-rainy season has generally been a very small one indeed, so that (a) Salumbar's possession of such run land has passed unnoticed by the local Darbar officials, and (b) the actual loss Salumbar suffers by the order declaring to be khalsa all run land below the level of the feet of the stone elephants standing on the dam, is not a large loss.

As there are no trustworthy records available to show the extent of cultivation in the past, I can speak on this point only from my own limited experience of what I have myself seen on the Jaisamand. My opinion is that the loss to the Jagirdars owning villages on the Jaisamand will be very considerable in dry years such as 1899-1900 ; very slight in good seasons like those

of 1909-10 and 1910-11 ; and only moderate in a year which falls rather short of being a good one.

9. Secondly, on the question of Salumbar's long possession of the run lands *below Salumbar villages* situated on the Jaisamand, the Darbar say :—

That the idea of a jagirdar being entitled to claim lawful ownership as the result of a long possession not based on any valid authority from the Head of the State, is foreign to the conceptions prevailing in a State like Udaipur.

10. Thirdly, still on the question of Salumbar's long possession of the run lands *below Salumbar villages* situated on the Jaisamand, the Darbar say :—

That they are entitled to resume their rights at any time, no matter how long an unlawful possession of such rights may have been exercised against them by a subject of the State, whenever they may discover the fact of such unlawful possession.

It is admitted by the Darbar that until A. D. 1907 or 1908 no claim to the run lands, up to high-water or " elephant-feet " level, below the jagir villages on the borders of the Jaisamand, had ever been made by the Darbar.

11. My opinion on 9 and 10 above is that it is dangerous, or at least unwise, to consider principles of English law, or of British Indian law which may be quite suitable to a settled, well organised community like British India, and to some of the Indian States, as being equally applicable to a backward and over-centralised State like Mewar with its uneducated and under-paid local Darbar officials over whom no proper supervision is exercised from headquarters. The jagirdars are of course well able to look after their interests in their own comparatively small estates, but under present conditions the Darbar are unable to safeguard all State interests throughout their large territory. My experience has always been that it is the jagirdars who are constantly encroaching, or have done so in the past, on the khalsa lands, and not that the contrary is taking, or has taken, place.

I think therefore that the Maharana is entitled to our support, or at any rate that the Government of India should not compel him to rescind his order, when he has issued an order overruling a claim of one of his jagirdars which is based solely on long possession, has no documentary authority to support it, and is contrary to the custom of the State.

12. This brings me to the attitude which, it seems to me, the political officers should take up in this case :—

(a) if the Darbar order about the run had not yet issued and the matter were still an open one, it may be that it would have perhaps been wiser to advise the Darbar to adopt a more conciliatory attitude towards Salumbar and to grant him larger concessions than those actually given under paragraph (2) of the Mahkma Khas order No. 2400 dated 9th August 1909. But even in that case it would have been difficult to find an adequate answer to the Darbar's inquiries as to why concessions should be made to a jagirdar who is not above demeaning himself by the wilful use of forged documents and who dares to use such unbecoming language, as from a feudatory in regard to the head of all the Rajputs of India, as that contained for instance, in paragraphs 2 (a) and (e), 8, 13, 16, 28, 31, 33, 35, 41, 43, 48 and 51 of Part I of the present Representation.

(b) The actual fact being (as it is) that the order declaring the run lands below jagir villages on the Jaisamand to be khalsa property was issued by the Darbar more than two years ago, and was only issued after the Resident, who is the Government's local representative, had conveyed to the Darbar his approval of that order, it seems to me that it is politically quite out of the question now for Government now to subject the Darbar to the humiliation of admitting the injustice of the order to Salumbar and the other jagirdars concerned who have villages on Jaisamand. The Maharana's conduct throughout this matter has been absolutely correct. He has never taken a single important step in what is, after all, a purely internal affair, without consulting his Resident. He has invariably shown the Resident the originals of all material documents in his possession in the most open and straightforward way possible. To say to His Highness now that Government must insist on his varying his order in regard to the run would mean that he would never in the future be able to accept the word of his Resident ; and the Resident's position would be intolerable as he would not be able to give the Maharana an assurance in any matter of the slightest importance without referring the question first for the orders of the Governor-General's Agent and the Government of India.

I think the Maharana's order must stand ; if it be considered that that order should never have been issued the Resident who approved its issue is to be blamed, not the Maharana who issued it only after seeking his Resident's prior approval.

13. I would therefore inform the Rawat of Salumbar that he cannot hope for the intervention of the Government of India in regard to any of the prayers contained in paragraph 52 of Part I of the present Representation.

A. T. HOLME,

Resident in Mewar.

Principal subjects dealt with, Part I of the Representation.

NOTE.—“ Sections ” Sections of Remarks, not of Representation.

- I.—Salumbar jagir not in possession of the Chondawats, but of the Chohans of Parsoli, when the Jaisamand lake was made :—
Sections 3, 48, 49, 50, 51, 52, 53, 54, 55, 57, 64, 67.
- II.—Parwana alleged to have been granted by Maharana Amar Singh II of Mewar to Rawat Kesri Singh I of Salumbar :—
Sections 6, 7, 9, 22, 24, 46, 48, 65, 66, 73, 77.
- III.—Confiscations and attachments of Salumbar villages by the Mewar Darbar :—
Sections 17, 18, 19, 48, 51, 52, 53, 54, 62, 64, 65, 69, 71.
- IV.—Captain Tod's kaulnama :—
Sections 7, 8, 9, 10, 11, 13, 15, 29, 30, 74.
- V.—Captain Cobbe's letter to Rawat Padam Singh of Salumbar :—
Sections 12, 16, 30, 62, 71, 74.
- VI.—Claim of Salumbar to be hereditary Councillor of Mewar :—
Sections 53, 56, 68, 69, 70.
- VII.—Maeturi-Sarari boundary case :—
Sections 9, 20, 22, 23, 24, 25, 44, 65, 79, 81, 82.
- VIII.—Survey proceedings of 1876-78 :—
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- IX.—The “ History of Mewar.”
Sections 47, 48, 49, 51, 55, 57, 64.
- X.—Claim of the Mewar Darbar to the entire run of the Jaisamand lake :—
Sections 26, 27, 37.
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Sections 4, 76, 80, 81, 83.
- XII.—Papers printed in 1908 by order of the Agent to the Governor-General, Rajputana :—
Sections 17, 46, 55, 64, 71.

Summary of Remarks on Part I of the Representation.

Paragraph of Salumbar's Representation.	Sections of my Remarks.	Summary of Remarks.
1	1	The orders passed in the Jaisamand run case are those of the Mewar Darbar, not of the Resident. The latter was only informally consulted by the Darbar.
2	2	The Resident has not entertained any “ suit ” in this case.

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9. Secondly, on the question of Salumbar's long possession of the run lands *below Salumbar villages* situated on the Jaisamand, the Darbar say :—

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It is admitted by the Darbar that until A. D. 1907 or 1908 no claim to the run lands, up to high-water or "elephant-feet" level, below the jagir villages on the borders of the Jaisamand, had ever been made by the Darbar.

11. My opinion on 9 and 10 above is that it is dangerous, or at least unwise, to consider principles of English law, or of British Indian law which may be quite suitable to a settled, well organised community like British India, and to some of the Indian States, as being equally applicable to a backward and over-centralised State like Mewar with its uneducated and under-paid local Darbar officials over whom no proper supervision is exercised from headquarters. The jagirdars are of course well able to look after their interests in their own comparatively small estates, but under present conditions the Darbar are unable to safeguard all State interests throughout their large territory. My experience has always been that it is the jagirdars who are constantly encroaching, or have done so in the past, on the khalsa lands, and not that the contrary is taking, or has taken, place.

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12. This brings me to the attitude which, it seems to me, the political officers should take up in this case :—

(a) if the Darbar order about the run had not yet issued and the matter were still an open one, it may be that it would have perhaps been wiser to advise the Darbar to adopt a more conciliatory attitude towards Salumbar and to grant him larger concessions than those actually given under paragraph (2) of the Mahkma Khas order No. 2400 dated 9th August 1909. But even in that case it would have been difficult to find an adequate answer to the Darbar's inquiries as to why concessions should be made to a jagirdar who is not above demeaning himself by the wilful use of forged documents and who dares to use such unbecoming language, as from a feudatory in regard to the head of all the Rajputs of India, as that contained for instance, in paragraphs 2 (a) and (e), 8, 13, 16, 28, 31, 33, 35, 41, 43, 48 and 51 of Part I of the present Representation.

(b) The actual fact being (as it is) that the order declaring the run lands below jagir villages on the Jaisamand to be khalsa property was issued by the Darbar more than two years ago, and was only issued after the Resident, who is the Government's local representative, had conveyed to the Darbar his approval of that order, it seems to me that it is politically quite out of the question now for Government now to subject the Darbar to the humiliation of admitting the injustice of the order to Salumbar and the other jagirdars concerned who have villages on Jaisamand. The Maharana's conduct throughout this matter has been absolutely correct. He has never taken a single important step in what is, after all, a purely internal affair, without consulting his Resident. He has invariably shown the Resident the originals of all material documents in his possession in the most open and straightforward way possible. To say to His Highness now that Government must insist on his varying his order in regard to the run would mean that he would never in the future be able to accept the word of his Resident; and the Resident's position would be intolerable as he would not be able to give the Maharana an assurance in any matter of the slightest importance without referring the question first for the orders of the Governor-General's Agent and the Government of India.

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A. T. HOLME,
Resident in Mewar.

Principal subjects dealt with, Part I of the Representation.

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Summary of Remarks on Part I of the Representation.

Paragraph of Salumbar's Representation.	Sections of my Remarks.	Summary of Remarks.
1	1	The orders passed in the Jaisamand run case are those of the Mewar Darbar, not of the Resident. The latter was only informally consulted by the Darbar.
2	2	The Resident has not entertained any “suit” in this case.

Summary of Remarks on Part I of the Representation—contd.

Paragraph of Salumbar's Representation.	Sections of my Remarks.	Summary of Remarks.
4	3	When the Jaisamand lake was constructed the Salumbar jagir was not in the possession of the Chondawats from whom the present Rawat of Salumbar has inherited, but in that of the Chohans of Parsoli.
	4	There is a large area of culturable and cultivated land available, in the Salumbar villages round the Jaisamand lake, above high water mark ; this land has not been annexed by the Darbar.
5	5	Reference to the first remark on paragraph 4.
	6	The Darbar state that the Parwana alleged to have been granted by Maharana Amar Singh II to Rawat Kesri Singh I of Salumbar is a forgery.
	7	The question of the validity of that Parwana never came before Captain Tod.
	8	A quotation from Tod's Rajasthan showing that in Tod's time Salumbar refused to produce for renewal the old patents granted to his ancestors by the Ranas of Mewar.
	9	The alleged Parwana from Maharana Amar Singh II was produced by Salumbar for the first time only in October 1899.
	10	Salumbar's argument in paragraph 5 of the Representation would have had more force if the Darbar's orders were the confiscation of <i>entire</i> Salumbar villages on the Jaisamand. In that case Salumbar might have urged that Tod would have arranged for such confiscations had they been necessary in the Darbar's interests.
	11	An incorrect assertion by Salumbar regarding Tod's kaulnama put right.
6	12	The Darbar's contention is that Captain Cobbe's letter to Rawat Padam Singh of Salumbar was written without reference to the Darbar and was based on <i>ex-parte</i> statements of Salumbar and therefore should not be considered binding on the Darbar.
7	13	Salumbar's inconsistent references to the kaulnamas of Captains Tod and Cobbe.
	14	The Mewar Residency records were destroyed in the Mutiny ; old records are therefore not forthcoming now.
	15	Non-acceptance of Salumbar's contention, that no land not surrendered by the Mewar jagirdars to the Darbar in Tod's time can thereafter ever be regarded as an usurpation.
	16	It hardly seems fair to hold the Darbar bound by Captain Cobbe's letter especially as other assurances contained in the letter, which do not relate to the run, have never been considered binding on the Darbar ; although on the other hand it is true that at the time he wrote it he was exercising unusually large powers in Mewar.
8	17	It is not true that Sambat 1906 (A. D. 1850) was the first year when any Salumbar villages were confiscated.
	18	Incorrect assertion by Salumbar with regard to the Darbar's reason for attaching Salumbar villages in Sambat 1906 (A. D. 1850).
9	19	Quotation from Brooke's "History of Mewar" regarding the confiscation of Salumbar villages in Sambat 1906 (A. D. 1850). Inability of Maharana Sarup Singh to coerce Salumbar without the British Political Officers' assistance, which was not given.
10	20	Incorrect assertion by Salumbar that the Maeturi-Sarari boundary case was decided quite shortly after the succession of Rawat Jodh Singh of Salumbar. The decision in that case was based on the opinion of a Panchayat.
	21	The Appendix E documents are not traceable in the Darbar offices.
	22	The fact that Salumbar never produced the alleged parwana of Maharana Amar Singh II when the Maeturi-Sarari boundary case was being gone into in Sambat 1923 (A. D. 1867) shows that that parwana is not a genuine one.

Summary of Remarks on Part I of the Representation—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
11	23	Inaccurate assertions in paragraph 11 of the Representation.
12	24	The extraordinary fact that the alleged parwana of Maharana Amar Singh II was never produced by Salumbar in the course of the boundary settlement proceedings of A. D. 1867, nor in the Jaisamand survey proceedings of A. D. 1876-78. Even when the parwana was produced no explanation was given as to how it was that the parwana had never been forthcoming before.
	25	Incorrect assertion by Salumbar that the Darbar's appellate order of A. D. 1905 in the Maeturi-Sarari boundary case admitted the existence of a "proportional Run land" in the Salumbar villages.
	26	It is, however, true that the Darbar laid no claim to the <i>whole</i> of the run until A. D. 1907 or 1908.
13	27	Reference to remarks on paragraph 12. of the Representation.
14	28	Reference to remarks on paragraph 5 of the Representation.
	29	Tod's kaulnama makes no mention of the Run.
	30	There is no evidence that Captain Cobbe consulted the alleged parwana of Maharana Amar Singh II, or Tod's kaulnama, before writing the letter Appendix B.
	31	Major Robinson's and Colonel Lawrence's kaulnamas make no mention of the Jaisamand run.
	32	Salumbar's assertion is probably true, that every political officer down to Colonel Pinhey thought that Salumbar was entitled to the run lands <i>below the Salumbar villages</i> .
15	33	Mr. Claude Hill's opinions, as disclosed in the printed papers of 1908.
	34	Disagreement with Salumbar's assertion that it is a "ridiculous theory" to consider Salumbar entitled only to the run lands lying below the Salumbar Jaisamand villages.
16	35	Incorrectness of Salumbar's assertion that Mr. Hill induced Rawat Onar Singh to accept the Darbar's views on the "matampursi" question by holding out the inducement that thereby his other grievances would be settled in his (the Rawat's) favour.
	36	It is true that Mr. Hill at first considered that the run question was one for decision by the Mewar Boundary Settlement Officer.
	37	The purport of the Darbar's order annexing the run was shown to Mr. Hill, while he was still Resident, before the order was issued. Mr. Hill approved of it. It is true that the Darbar had never, before A. D. 1907 or 1908 asserted the proposition that the whole of the Jaisamand run is State property. The position taken up by the Darbar is that they claimed the run as soon as it was brought to their notice that, in the absence of any patent alienating it, the run of a lake constructed at the expense of the Darbar <i>ipso facto</i> , by the invariable custom of Mewar, belongs to the Darbar; and that Salumbar has no patent conferring on him any portion of the run of the Jaisamand lake.
17	38	Misleading reference by Salumbar to a letter from Captain Trench, formerly officiating Resident.
18, 19 and 20	39 and 40	Reference to Mr. Hill's conclusions, of which paragraphs 18, 19 and 20 of the Representation purport to give a summary.
21	41	A jagirdar has no right to have his claims against his Darbar in internal State matters submitted to the "arbitrament" of the State's political officer. The Mehkmas order No. 2400, dated 9th August 1909, was not submitted to the Resident's "arbitrament," though its purport was before issue communicated, verbally and informally, to him.
23	42	Salumbar's summary of the Darbar's order No. 993, dated 11th May 1905, is <i>corr ct.</i>

Summary of Remarks on Part I of the Representation—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
24	43	Salumbar's summary of the Darbar's order No. 18299, dated Baisakh Sud, 9th Sambat 1964 (A. D. 1908) is correct except in one particular.
25	44	Salumbar's summary should be corrected by a reference to the actual Darbar order No. 2400, dated 9th August 1909.
26	45	Salumbar's summary in clause (iv) of this paragraph corrected by explaining what is the actual purport of paragraph 10 of the Darbar order No. 2400, dated 9th August 1909.
27	46	Mr. Hill's views on the alleged parwana given by Maharana Amar Singh II to Rawat K sri Singh I of Salumbar.
28	47	How the "History of Mewar" was prepared.
	48	The "History of Mewar" goes to prove the falseness of the alleged parwana of Maharana Amar Singh II.
	49	Reason why the "History of Mewar" was first published and then withdrawn from circulation. The History is believed to be based on impartial inquiries.
	50	The extract from the Raj Vilas quoted by Salumbar does not really prove anything about whether Salumbar was or was not taken away from the Chondawats for three generations.
	51	But that ejection of the Chondawats is mentioned in no less than 4 places in the "History of Mewar," and Bedla and Parsoli, first-class jagirs of Mewar, confirm it.
29	52	Salumbar's statement, that the inscription at the Raisamand does not corroborate the taking away of Salumbar from the Chondawats for three generations, is wrong; because, as a matter of fact, the inscription strongly corroborates such taking away.
30	53	Salumbar's interpretation of the meaning of the inscription is wrong.
	54	Inaccuracy of Salumbar's statement that the Darbar's assertion is that the Chohans of Parsoli had possession of Salumbar for 3 generations (of the Chohans).
31	55	Tod's Rajasthan, while describing Ratan Singh and Kandhalji as being "of Salumbar," does not state that they were "in full enjoyment of the right vested in the house as hereditary leaders of the van in battles." But Tod's styling those Rawats as "of Salumbar" really proves nothing for reasons given.
	56	Denial by the Darbar of Salumbar's claim to be hereditary Councillor of Mewar.
	57	The letters referred to in Appendix K cannot be admitted by the Darbar to be genuine unless the originals are produced by Salumbar for inspection.
	58	Incorrectness of Salumbar's allegation that all the villages on the banks of the Jaisamand belonged to him when the alleged parwana of Maharana Amar Singh II was issued.
	59	Incorrect statement by Salumbar that Siar's grant from the Darbar was augmented by Salumbar with some Salumbar villages.
	60	Bhadesar and Kurabar, if called upon by the Darbar to produce their Sanads, would certainly refuse to do so, or would make some excuse for not doing so.
	61	Incorrect statement of Salumbar that Mehturi was originally not a run village.
33	62	The Darbar cannot express an opinion about Appendix L unless the original is produced for their inspection.
34	63	Appendix C referred to by Salumbar deals with customs matters, and not with the run question.

Summary of Remarks in Part I of the Representation—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
35	64	According to the 'History of Mewar', the Chondawats were not in possession of the Jaisamand villages, or of the Salumbar jagir itself, when the Jaisamand dam was built. When the Chondawats were eventually restored neither the Darbar nor Salumbar can prove what extent of land in the run villages was made over to the ownership of the restored family, but it seems probable that from the time of the restoration onwards the Chondawats, ancestors of the present Rawat, have always been in possession of the run lands below the Salumbar Jaisamand villages.
37	65	Inaccuracy of some of Salumbar's statements. Recapitulation of the actual facts of the Maeturi-Sarari boundary dispute, and the significance of the non-production by Salumbar in Sambat 1923 (A. D. 1867) of the alleged parwana of Maharana Amar Singh II.
38	66	Salumbar's explanation of the delay in the issue of the alleged parwana of Maharana Amar Singh II not considered satisfactory.
40	67	The lands of the Salumbar jagir which were submerged by the construction of the Jaisamand dam did not belong, when the submersion took place, to the Chondawats from whom the present Rawat inherits, but to the Chohans of Parsoli.
	68	The actual facts about the village Bhana, belonging to the Rawat of Asind, on the Rajsamand lake.
41	69	The Government of India cannot support Salumbar's claim to be "the master of the throne" of Mewar.
	70	The Darbar deny, <i>vide</i> section 56 above, Salumbar's claim to possess the hereditary right of being the chief Councillor of the State.
	71	The Darbar give instances contradicting Salumbar's assertion that Salumbar villages have never been confiscated in the past except during "minorities or unusually weakened crises."
42	72	Remarks about Appendix M, Part I of the Representation.
43	73	Contradiction by the Darbar of Salumbar's assertion that words found in the alleged parwana of Maharana Amar Singh II are shown from old books to have been in common use at Udaipur.
45	74	Salumbar's assertion that the Darbar repudiate Tod's kaulnama is incorrect. That kaulnama confers no rights on the Mewar Sardars except that they shall all be treated equally by the Darbar and in accordance with what their services deserve.
46	75	Consideration of the Darbar's argument that an examination of the present value of the Salumbar Jaisamand villages will show that that value, if the run villages be included, is very greatly in excess of the entries made in the State Bahi or Register of A. D. 1822; and that therefore the Bahi entries prove that Salumbar's claim to the run lands of the Salumbar Jaisamand villages is a recent one and is quite unauthorised.
47	76	Incorrectness of Salumbar's assertion that the Darbar have admitted that the run lands in the Salumbar Jaisamand villages belonged to Salumbar.
	77	How the survey of the Salumbar Jaisamand villages was effected in A. D. 1876-78. Maharana Sajjan Singh made no very serious attempt to make Salumbar pay their share of the expenditure incurred on strengthening the Jaisamand dam.
48	78	I agree with Salumbar that no inference adverse to Salumbar can fairly be drawn from the absence of remarks in the Survey Abstract to the effect that "there was other submerged land which would be surveyed on emerging from the water."
	79	The object aimed at by Salumbar at the time of the survey proceedings of A. D. 1876-78 was the direct opposite of that at the time of the Maeturi-Sarari boundary settlement proceedings of A. D. 1899.
49	80	Consideration of Salumbar's assertions in regard to the survey proceedings of A. D. 1876-78.

Serial No. 12 J

Grievances of the Rawat of Salumbar against Mewar.

Summary of Remarks on Part I of the Representation—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
50	81	Consideration of the actual effect, in the Salumbar Jaisamand village of Sarari, of the Darbar's orders in regard to the run; and comparison with the result of the survey of 1876-78.
	82	Salumbar should have produced the records of the A. D. 1876-78 survey at the time the Maeturi-Sarari boundary dispute was decided.
	83	The total area obtained by Salumbar under the Darbar's order, below the elephant feet level.

A. T. HOLME,

*Resident in Mewar.**Detailed remarks on Part I of the Representation by the Rawat of Salumbar.*

NOTE.—“Paragraphs” refer to the numbered paragraphs of Salumbar's printed representation. “Sections” are the sections of these remarks, in serial order.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
1	1	Properly speaking there have been no “findings of the Residency,” Mewar. The orders and findings have been those of the Mewar Durbar. The Maharana informally consulted the Resident in what was purely an internal question before issuing orders about the Run.
2	2	There is no “suit in the Residency, Mewar” at all. The Resident is not competent to entertain a “suit” even if a party having a grievance against the Durbar wishes the Resident to do so.
3	4	In Sambat 1744 to 1749 the Salumbar Jagir was in the possession, not of the Chondawats from whom the present Rawat is descended, but of the Chohans of Parsoli, a junior branch of the Bedla house. This I believe to be established by satisfactory proofs, which will be referred to later.
4	4	It might be thought, from reading this paragraph, that when the Jaisamand lake is full of water there is no culturable land whatever round the edge of the lake near the 5 villages named in the paragraph. This is not by any means the case, as I have myself seen in a year when the lake has been full. There is even then a large area of culturable and cultivated land available above high water level. Such cultivated and culturable land will, in the future, remain in Salumbar's undisturbed possession, since the order of the Durbar declares to be khalsa all the land only all the land up to the level of the feet of certain stone figures of elephants on the Jaisamand dam, which is practically the same thing as high water mark.
5	5	See first remark against paragraph 4.
	6	The Durbar have stated in paragraph 2 of their order No. 2400, dated 9th August 1909, of which a translation is attached (and elsewhere) that the Patta referred to by Salumbar is a forgery.
	7	So far as I know, the question of the validity or not of the patta, as well as the question of the ownership of the Jaisamand Rund lands, never came before Captain Tod, the first political officer in Mewar.

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
	8	See Tod, Volume I, Chapter III, under the heading "Kala Puttas." "When, on a recent occasion, a revision of all the grants took place, the old ones being called in to be renewed under the sign-manual of the reigning prince, the minister himself visited the Chief of Salumbar, the Head of the Chondawats, at his residence on the capital, for this purpose. Having become possessed of several villages in the confusion of the times, a perusal of the grant would have been the means of detection; and on being urged to send to his estate for it, he replied, pointing to the palace, "my grant is in the foundation of that edifice;" an answer worthy of a descendant of Chonda, then only just of age. The expression marks the spirit which animates this people, and recalls to mind the well known reply of our own Earl Warrenne, on the very same occasion, to the <i>quo warranto</i> of Edward: "by their swords my ancestors obtained this land, and by mine will I maintain it."
	9	So far from the deed of grant or patta having been examined and admitted as genuine in the time of Captain Tod, as the phraseology used in this paragraph by Salumbar would have one believe, the actual fact is that this patta was never produced at all by Salumbar or anyone else until October 1899, or about a month before the Maeturi-Sarari case was decided by Captain Pinhey, the Boundary Settlement Officer, Mewar.
	10	There would have been more force in Salumbar's argument in this paragraph if the Maharana's action complained about by him had been the confiscation of one or more <i>whole</i> villages situated on the shores of the Jaisamand lake. In that case Salumbar might have contended that if his possession of those villages had been unlawful, and had been acquired during the half century before Captain Tod's arrival at Udaipur, their restitution to the Durbar would probably have been effected by Captain Tod. (See Chapter 18, Volume I, of Tod's Rajasthan.)
	11	It is not accurate to say, as Salumbar does, that during the incumbency of Captain Tod, "all the villages and lands belonging to the Jagirdars which were constructed as undue usurpations by them" were restored to the State, and "the remaining ones were, through a Kaulnamah, dated May 1818 A. D., permanently settled in favour of the Sirdars as belonging to them and theirs by hereditary rights." Of the 11 provisions in the Kaulnamah of 1818, all except the 8th detail, not rights but duties, of the Jagirdars. The 8th clause runs: "The Maharana shall maintain the dignities due to each chief according to his degree." (Tod's Rajasthan, Volume I, First Appendix, No. 20.) A literal translation of the Hindi original runs:— "The Shri Durbar shall extend equal treatment to all Sardars. Treatment shall be such as their services deserve." (Note: this clause is omitted altogether in the copy of Tod's Kaulnamah given at page 44 of Aitchison, Volume III; and in Brooke's History of Mewar it appears thus (Appendix C): all chief shall meet with equal consideration from the Shri Durbar, and their services shall be duly appreciated.)" In any case, whichever be the correct version of the Kaulnamah, it does not purport to confer the permanent settlement of any lands on the jagirdars.
6	12	Captain Cobbe's letter to Rawat Padam Singh of Salumbar, dated 1st October 1826. This is dealt with in the Durbar order No. 18299, dated Baisakh Sudi 9th, Sambat-1964 (A. D. 1908) (translation* attached) their contention being that that letter was written by Captain Cobbe without previous reference to the Durbar, and was based merely on what had been stated to him by Salumbar, and that therefore it would be wrong to treat that letter as a guarantee given by a British officer which is binding on the Durbar.
7	13	It is not clear to which agreements, nor to which actual words in Aitchison, reference is here made. Only one agreement (Kaulnamah) between the Maharana and the Jagirdars was negotiated by Captain Cobbe (in 1827), and even that one was not signed by the contracting parties until 1840. Aitchison (edition revised to 1st June 1906) says (page 20) that "this agreement was as inoperative as the Agreement of 1818" namely, Tod's. If Salumbar is referring to this agreement of 1827, his reason for doing so is possibly because it contains in its sixth clause the provision that "no village shall be sequestrated without just cause."

* A translation of this order was sent to the Hon'ble Mr. Colvin with this office confidential demi-official letter of 9th October 1908. The order in question is there headed:—"translation of an order issued by the Mehkmakhar, Mewar, to the Boundary Settlement Officer Mewar (1908)."

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
		In this paragraph and in paragraphs 5 and 45 it suits Salumbar's purpose to make out that the Kaulnamas were valid instruments which have ever since bound, and still bind, the parties to their execution. In this same Representation, Part III, paragraph 8, however, he alludes to them disparagingly as "old Kaulnamas which, to quote the words of their compiler (U. C. Aitchison), ever remained 'inoperative.'" And in Part IV, paragraph 3, he states that the Durbar bases their sweeping contentions "on the feeble and rusted strength of former Qaulnamahs, which, being never enforced, have ever remained null and void."
	14	Files of the Mewar Residency office which could be traced in the time of Colonel Lawrence are not available now, because all the office records were destroyed at Neemuch in the disturbances of 1857.
	15	I think it is going rather far to say, as Salumbar contends, that no lands except those which were restored by Jagirdars to the Durbar in Captain Tod's time can ever, in any circumstances, and however clear the proof may be that they are usurpations, be regarded as such.
	16	I also think it is hardly fair to the Durbar to hold them bound by Captain Cobbe's parwana unless it can be shown, which has not yet been done, that Captain Cobbe ever communicated with the Durbar before he wrote the parwana, or that he sent them a copy of it after it had been issued. Moreover, other assurances contained in the letter, regarding the villages Barodia and Parla (see remarks on paragraph 41 below) and not sending "Chitthis" on Salumbar villages from the Thana of Kherwara, have never been acted on by the Durbar and no political officer, so far as is known, has attempted to enforce those assurances on the strength of the contents of this letter of Captain Cobbe. However, it appears on the other hand to be the fact that in October 1826, when the parwana was given, the Political Agent exercised unusual powers in Mewar, which were very shortly afterwards curtailed (see Brooke's History of Mewar, pages 31-34).
8	17	If the first sentence of this paragraph means that Sambat 1906 was the first occasion when a khalsa (order of resumption) was imposed by the Durbar on any Salumbar villages, then this is certainly untrue. In the time of Rana Raj Singh the whole estate was confiscated, and in the time of Rana Bhim Singh (when Padam Singh was the Rawat of Salumbar) some villages were confiscated, as is admitted in the Kharita which the present Rawat, Onar Singh, himself addressed to the Political Agent, Mewar, on 24th July 1906 (see page 8, paragraph XV, of the papers relating to Salumbar which were printed in 1908 by order of the Agent to the Governor-General).
	18	A perusal of Exhibit D shows that the "plausible reason" (the words are Salumbar's) advanced in Sambat 1906 by the State for imposing an order of resumption (or attachment) on Patan and other Salumbar villages in the Jaisamand Rund was not merely (as stated in the Representation). "Salumbar's so-called refusal to concede to a Boundary Settlement of Patan with Methuri (a Khalsa Village)," but was further due to the forcible taking away of grain which had been placed in deposit pending a decision of the dispute, and the snatching of his sword from a Durbar sepoy.
9	19	The actual facts, as given at pages 67, 68 of Brooke's History of Mewar, are:— "In the beginning of 1850, the Maharana, with the sanction of the Political Agent, confiscated a large portion of the estates of the Rawats of Salumbar and Deogurh ostensibly for the non-performance of service and for withholding chuttoond though the former chief was not liable to the demand of chuttoond at all. In October 1851, the two chiefs expelled the Rana's troops from their estates, and took forcible possession of the villages which had been sequestered. The Rana applied for assistance to the British Government, denying that he had introduced any new usages, or made any fresh and illegal exactions. He expressed himself prepared to submit to any enquiry that Government might be pleased to institute. He might, he affirmed, be able to drive the chiefs from their estates, but he would be unable afterwards to expel them from the country. His fear was, that if he pushed them to extremity, the whole of Mewar might be raised, anarchy ensue, and the British Government make him responsible." The Political Officers of the time declined to give the Maharana any active assistance against the chiefs, and he was not strong enough himself to overcome their resistance.

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
10	20	Rawat Jodh Singh was confirmed in the succession to the Salumbar estate in Sambat 1920, and it was not until three years later, in Sambat 1923, that the Maeturi-Sarari boundary case was settled. The decision in that case was made by a Panchayat, and was not a decision forced upon the estate by a hostile Durbar official as might be conjectured by reading this paragraph.
	21	The Durbar have not been able to trace the documents given as Appendix E; and if thought necessary Salumbar might be requested to produce the originals.
	22	If the Parwana of Maharana Amar Singh, on which Salumbar bases his claim to the whole run, were a genuine one, Salumbar would undoubtedly have produced it before the decision of Sambat 1923 was effected, because, if Salumbar is entitled to the whole run as the parwana makes out, it is impossible that the khalsa village Methuri can have owned any part of the run, and consequently there can have been no valid dispute as to boundaries, between Sarari and Maeturi, so far as the run is concerned. But the greater part of the Sarari-Maeturi boundary case related as a matter of fact to run lands pure and simple.
11	23	What actually happened was that about Sambat 1955 (A. D. 1899) the Hakim of the Magra zilla reported that Salumbar raiyats were encroaching on State land, while about the same time Salumbar complained of similar encroachments by khalsa tenants. Captain Pinney, the Mewar Boundary Settlement Officer, was sent to demarcate the boundaries, and Salumbar then produced a copy of the decision of Sambat 1923, and it was on the basis of that decision that the demarcation was carried out by Captain Pinney.
12	24	As stated above, in the remarks on paragraph 10, the parwana of Maharana Amar Singh ought to have been produced by Salumbar in the time of Lala Jwala Parshad, State Amin (Sambat 1923); but as a matter of fact it was never produced by Salumbar in any boundary settlement or other proceedings whatever until October 1899. Captain J. Pinney, the Boundary Settlement Officer, Mewar, then proceeded to the spot to take up the case between Maeturi and Sarari; and Salumbar handed in one copy of the Parwana to the Boundary Settlement Officer, and sent another copy to the Mehkmakhas, Udaipur. It is extraordinary, yet none the less the fact that Salumbar should have produced so important a document as this parwana without a word of explanation as to how it was that it had never been put forward before, where it had been found and so forth. All that Salumbar did was to submit two copies of the alleged parwana as stated above, and to claim the <i>entire</i> run under the terms of the parwana. The same parwana, if genuine, should have been, but was not, produced by Salumbar in the course of the survey proceedings of 1876-78 (see remarks below on paragraph 47 of the Representation).
	25	The order of the Mehkmakhas on Salumbar's appeal in the Sarari-Maeturi boundary case, which is referred to in this paragraph, is order No. 993 dated 11th May 1905 (translation attached). That order nowhere "admits the existence of a proportional Run land, as boundaries, under every Salumbar village."
	26	At the same time it is only fair to Salumbar to note that, as stated again further on, it was not till 1907 or 1908 that the Durbar asserted their right to the <i>whole</i> run.
13	27	See the last three sentences in remarks on paragraph 12.
14	28	See remarks above on paragraph 5 of the Representation.
	29	Tod's Kaulnama makes no mention whatever of the Run.
	30	There is nothing to show whether Captain Cobbe, before writing the letter of 1st October 1826 (Appendix B, Representation, Part I) to Rawat Padam Singh of Salumbar, consulted either the parwana alleged to have been granted to Rawat Kesri Singh I of Salumbar by Rana Amar Singh II of Mewar, or Tod's Kaulnama.
	31	In the Kaulnama of Major Robinson and Colonel Lawrence, as in Tod's Kaulnama, no mention is made of the Jaisamand run.
	32	It is probably quite true to say that every political officer down to Major Pinney and it might have been added, the Durbar themselves thought that Salumbar was entitled to the run-lands <i>below the Salumbar village</i> on the Jaisamand lake.

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
15	33	<p>Mr. Claude Hill's opinion of December 1907 on the Run question is given at page 46 of the papers on the Salumbar case which were printed in 1908 by the orders of the Agent to the Governor-General. It should be noted that Mr. Hill was at the time expressing a final opinion only on the <i>Matampursi</i> question and not on the other matters, including the run, at issue between the Maharana and the Rawat of Salumbar.</p> <p>The following extract from those papers shows that the first two sentences of paragraph 15 of the Representation give Mr. Hill's then opinion with substantial accuracy :—</p> <p>"The claim of Salumbar to the alluvial of the whole lake is thus of course untenable. What Salumbar might claim is the cultivation of the alluvial of so much of the shores of the Jaisamand as is within the boundaries of villages the property of Salumbar."</p>
	34	<p>So far from it being a "ridiculous" theory, as is stated in this paragraph of the Representation, that "Salumbar can claim the Run only in proportion to the Run lands lying under its individual villages bordering on the lake," this seems to me to be a very much more plausible theory than that Salumbar should own the whole of the Run lands of a lake all the villages surrounding which were not in the possession of Salumbar when the lake was built, and on the construction and maintenance of which the Jagir-holder has never yet spent a pie.</p>
16	35	<p>The Representation says that Mr. Hill urged that "if the thikana were to accept in writing His Highness views in the Matampursi question, the other grievances would be summarily mitigated." Mr. Hill however wrote to me in October 1908 that he "only told Salumbar that absolute submission was the only road by which he could hope to attain any sort of reapproachment," and in the interview Mr. Hill had with the Rawat at which the latter recanted in writing, Mr. Hill held out no argument about generous treatment <i>quá</i> argument."</p>
	36	<p>The second sentence of this paragraph may be accepted as correct, seeing that in December 1907 Mr. Hill considered (page 53 of the printed papers) that "the settlement of the Run dispute is not one for the Resident, but for the Boundary Settlement Officer; and all that it is necessary to record here is, that Salumbar has failed to make out a case of such tyrannous encroachment as would justify intervention by us; while his claim to the whole Run rests on a forgery."</p>
	37	<p>With regard to the last sentence in this paragraph, it is all-important to remember that the Maharana did not issue the administrative order referred to by Salumbar without previous consultation with his Resident, the actual fact being that the purport of the Mehkma has order of Asarh Badi 14th, Sambat 1964 or 27th June 1908 (a translation* of which is attached) declaring the whole of the Jaisamand Run to be khalsa, was, before being issued, shown to Mr. Hill just before his final departure from Mewar, and was approved of by him. That is certainly as much as can be expected from the Durbar in a purely internal matter.</p> <p>But, as has been observed above in the marks on paragraph 12, I believe that it is a fact that the Durbar never, before 1907 or 1908, definitely asserted the proposition that the whole of the Jaisamand Run is State property. On this point the argument of the Durbar is that their claim to the whole of the Run was made as soon as they became aware that it is an intrinsic right of the Durbar to own and possess the Run of a lake made by the Durbar, and that Salumbar's ownership and possession of any part of the Run was therefore unauthorised and illegal in the absence of any patent conferring Run lands on the estate.</p> <p>In the course of the proceedings before the Mewar Boundary Settlement Officer, which are alluded to by Salumbar, no claim to the whole of the Run lands, including those below the Salumbar villages, was, I believe, ever raised on behalf of the Durbar.</p>
17	38	<p>The portion in inverted commas is certainly not an extract or summary of Captain Trench's letter of 10th July 1908 given as Appendix G. Possibly it purports to give the substance of what Captain Trench told the Salumbar Vakil; but there is no record in my office of the conversation alluded to in Captain Trench's letter and I am not inclined to accept as correct the Salumbar version.</p>

* A translation of this order was sent to the Hon'ble Mr. Colvin with this office confidential demi-official letter of 9th October 1908. The order in question is there headed :—"Translation of an order issued by the Mehkmahas, Mewar, to the Boundary Settlement Officer, Mewar (1908)."

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
18—19	39	Summaries Mr. Hill's conclusions. These are stated more fully at pages 22 and 23 of the printed papers.
20	40	See remarks on paragraph 6 above.
21	41	"The Mehmakhas order which aims at discussing..... the validity or otherwise of the various claims of the thikana, submitted, of course to the arbitrament of the Residency, Mewar." If this means that the claims of the thikana have been submitted to the arbitrament of the Resident, it may be said that it is contrary to the expressed policy of the Government of India that a Jagirdar should be considered to have the right to submit his claims against his Durbar to the "arbitrament" of the political officer, when those claims relate to purely infernal matters. If, on the other hand the words in the Representation mean that the Mehmka khas order No. 2400, dated 9th August 1909 (translation attached), had been submitted to the "arbitrament" of the Resident, it should be noted that it is by no means necessary for the Durbar to submit the orders they issue to their Jagirdars, to the "arbitrament" of the Resident. As a matter of fact, a general summary of the contents of the order No. 2400, dated 9th August 1909 was first communicated, informally and verbally, to the Resident before the order was issued.
23 (i) to (vii)	42	This correctly summarises a portion of the Durbar order No. 993, dated the 11th May 1905 (translation attached), except that the order contains no direct "inference" about Salumbar being able to claim a proportionate share in the Run lands of its villages; but in so far as the order upheld the decision in the Sarari-Maeturi case in which a portion of Run lands below Sarari village had been assigned to Salumbar, to that extent it may be said that there was an indirect inference of the sort.
24 (i) to (iii)	43	This correctly summarises a portion of the Mehmakhas order No. 18299, dated Baisakh Sudi 9th, Sambat 1964 (translation attached).
25	44	The words in inverted commas in the first sentence of this paragraph do not summarise very clearly the orders of the Mehmakhas. The actual orders will be found in paragraph 2 of Mehmka. has order No. 2400, dated 9th August 1909 (translation attached). Sub-section (i):—The actual order says "it is proper that your share of the expenditure should be realised from you with interest," and not "therefore, this would be realised now from Salumbar." Sub-sections (ii) and (iii) correctly summarise the purport of the Mehmakhas order. Sub-section (iv):—The Mehmakhas order does not say "these so-called Survey-statements." What it says is: (paragraph 2) "You did not submit the khasra in connection with the boundary dispute between Sarari and Maeturi nor subsequent to it. You did not submit the Khasra in the Sarari-Maeturi case for the reason that the land shown in the khasra was less than what you laid claim to. Even according to the khasra of the survey carried out by you the land in your possession cannot be what has been awarded to you by the Boundary Settlement Officer in his decision. But as the case has been decided by the Boundary Settlement Officer and passed the appellate stage the decision will not be altered." For "Run unculturable" in this sub-section should be read "Run fallow but culturable."
26 (iv)	45	It does not clearly appear from this that the actual order is that irrigation facilities may be granted or withheld at the pleasure of the Durbar, and that if granted they will be granted only on payment of a water-rate (see paragraph 10 of the Mehmakhas order No. 2400, dated 9th August 1909).
27	46	Mr. Hill's references to the alleged parwana of Rana Amar Singh II are given at pages 22, 23, 36 (paragraph 2 and paragraph 6), 40, 41, (paragraph 15 and paragraph 16), and 45 (paragraph 1 and paragraph 2) of the printed papers.

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
28	47	<p>The "History of Mewar" was ordered to be prepared in the time of Maharana Shambhu Singh. At first the work was carried on very slowly, so much so that in A. D. 1882 (in the time of Maharana Sajjan Singh) Kaviraj Shyamal Das was ordered to devote his whole time to preparing this history, and from then good progress was made. It was completed in the time of the present Maharana. In the course of its compilation, all the leading Sardars, including Salumbar, were asked to produce an account of their past history. Bedla, Salumbar, and others complied. The Bedla account mentioned the taking away of Salumbar from the Chondawats, and its subsequent bestowal on Kesri Singh of Parsoli, a Chauhan Rajput and a young scion of the Bedla house.</p> <p>The account put in by Salumbar themselves agrees with the other accounts in regard to the deaths of Kesri Singh Chauhan and Kandhalji on the embankment at Thur, but Kesri Singh is referred to as being "of Parsoli."</p>
	48	<p>To the best of my belief, the History was not prepared with a view to "serve special motives and purposes of the State." As the History was completed in or about the year 1890 A. D. and the alleged parwana of Maharana Amar Singh II was produced for the first time in 1899 A. D.</p> <p>It is absurd to assert that the History, where it bears on the confiscation of Salumbar in the time of Rana Raj Singh from the Chondawats, its restoration to that house in the person of Kesri Singh I, Chondawat, son of Kandhalji, and the consequent non-possession of the thikana by Kandhalji, was prepared expressly to give the lie to a parwana of which the existence, much less the contents, were not so much as known to the Durbar or the Durbar historians. How could the historians foresee that the parwana would not allege that it was Kesri Singh, Chondawat and not Kandhalji who made representations to Rana Jai Singh about Salumbar and other villages which had been acquired by his ancestors? How could it be known to those historians when the Parwana was still buried among the Salumbar archives (presumably this is the explanation which would be offered by Salumbar for the tardy production of this parwana) that when produced it would state that it was Kandhalji who had been given a deed of assurance, and Kandhalji to whom had been granted the Run lands of the lake in return for the villages which had been submerged when it was first constructed? If in the Parwana the name of Kesri Singh Chondawat were substituted, with the necessary alterations in the text, for that of his father Kandhalji, the inherent falseness of the parwana would not have been in any way corroborated by what is stated in the "History of Mewar;" and it is therefore necessary to emphasise the facts that the History was finished before the Parwana was ever even known to have an existence, and secondly that Salumbar had no means of knowing the contents of the History.</p>
	49	<p>With regard to the next statement in this paragraph, that the record was never published and hence its authenticity has not been tested by the criticism of independent historical critics, the facts are, I believe, that the history was first published and afterwards withdrawn from publication for reasons which have been confidentially given to me by the Maharana. Those reasons seem to me to be quite adequate, and they certainly have nothing whatever to do with Salumbar and his claims.</p> <p>As for the statement that the History is not the result of impartial and independent enquiry, the exact opposite is the case, to the best of my belief.</p>
	50	<p>With regard to the remainder of the paragraph, a copy of the "Raj Vilas" is in the possession of the Durbar. In the concluding part of this work it is mentioned that it was prepared by one man in Sambat 1746 in the time of Maharana Jai Singh. Man describes the period Sambat 1737 when Aurangzeb's son Akbar threatened to invade Mewar. The chiefs of Mewar assembled before Raj Kunwar Jai Singh, son of Rana Raj Singh, and each of them gave out his own suggestions how to meet the Imperial army. The extracts from the Raj Vilas which are given as Appendix H in the Representation are taken from this part of the work. Reference is made to "Rawat Ratan Singh Chondawat" and to "Rawat Chondawat Ratan, son of Raghu," but nowhere is it stated of what place he is.</p> <p>Moreover in those days the Jagirs were constantly being changed from one Chief to another, and the fact that Salumbar had been given to Parsoli would not have been looked upon as a matter of such extraordinary importance that every chronicle of the time would have necessarily referred to it. Also the Raj Vila is poetry, and does not profess to be historically accurate.</p> <p>The Durbar have no copy of the Khuman Rasa.</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
	51	Lastly, it may be stated that mention is made in no less than four places in the History of Mewar about the taking away of Salumbar from the Chondawats for a time and the grant of it to the Chouhans, and Bedla and Parsoli themselves confirm this.
29	52	<p>The sloka or couplet referred to in this paragraph is the 6th in the 14th part of a stone inscription at the Rajsamand (lake). A correct translation of the sloka is :—</p> <p>“Maharana Raj Singh appointed (or created) Kesri Singh, the second son of Ram Chandra who was the son of Ballu Rao of the Chohan family residing at Bedla, a second Rao of, and living at, Salumbar.”</p> <p>The original words are “Rao dutiyah krit aish Rana Shri Raj Singhena Salumbar-astha.” The termination “astha” from the Sanskrit “sthan” (which occurs in the word “Rajasthan”) means place, station, abode, residence.</p> <p>Other parts of the same inscription go on to record that the same Kesri Singh consulted with his brother as to whether they should have themselves weighed against silver, and again that “that well-known Rao Kesri Singh of the Chohan family Salumbarastha” (i.e., of and residing at Salumbar) “had himself weighed against silver and thus became purified against sin.”</p>
30	53	<p>I cannot accept as correct Salumbar's contention that “the sloka only means that Kesri Singh Chouhan was created a peer of the Mewar State with rank and dignity equal to that of Salumbar.” The termination “astha” affixed to the name Salumbar militates against that interpretation.</p> <p>Exhibit I, one of the Appendices to this part of Salumbar's Representation, is printed in facsimile and with its translation among the Appendices to Tod's Rajasthan Volume I.</p> <p>Incidentally it may be observed that the 12th clause of this parwana would appear to conflict with Salumbar's claim to exercise the right of hereditary and sole Councillor of the State. (See remarks on paragraph 31 below.)</p>
	54	<p>With regard to the second part of this paragraph, it must be stated, in the first place, that the History of Mewar nowhere alleges that “the Chohans kept possession over Salumbar for three generations.” The Chouhans were there for one lifetime only that of Kesri Singh of Parsoli. It was only among the evicted Chondawas that there were three, or four, generations, namely; Ragunath Singh, who was dispossessed of Salumbar; Ratan Singh, who received the Jagir of Chawand after Ragunath Singh's death; Kandhalji, who eventually murdered, and was simultaneously murdered by, Kesri Singh the Chouhanand; Kesri Singh Chondawat, Kandhalji's son, to whom the Salumbar Jagir was restored by Rana Jai Singh.</p> <p>There could have been no cenotaphs erected over the manes of those dying a natural death or fallen in battle because there was none who died a natural death or fell in battle. Kesri Singh Chohan himself was killed on the dam across the Berich river at Thuj, some four miles north of Udaipur.</p> <p>If any buildings or temples were constructed, or any land was given away in charity by Kesri Singh Chohan while he was at Salumbar, such buildings and temples must have been destroyed, and such gifts annulled, by the Chondawats when they got Salumbar back.</p> <p>There must no doubt, the Durbar admit, have been petitions and letters from Kesri Singh Chouhan, as well as from the Chawand-holders, Ratan Singh and Kandhalji Chondawats. But the State ministers of those days used to keep their offices in their own homes, and no papers can be found in the State record-rooms and libraries.</p> <p>Kandhalji's Chattri, if it exists at all, should be at the Thur dam; while, with regard to Ratan Singh, Salumbar has failed to show that it is at Salumbar just as much as the State has failed to demonstrate that it is at Chawand or in that Jagir.</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
31	55	<p>First part. For "page 394, Volume II" read "page 394, Volume I."</p> <p>According to the "History of Mewar," by Kaviraja Shyamal Das, Rawat Ratan Singh and Kandhalji, at the time to which the extracts from Tod's Rajasthan refer, must have been in possession of the Chawand, and not the Salumbar Jagir (page 41 of the printed papers of 1908).</p> <p>The extracts from Tod's Rajasthan are correctly given, and the above Rawats are in Tod described, with others whose names like theirs appear in foot notes as "the flower of Mewar" in the first extract, and as "the few Chiefs yet faithful to the Rana" in the second extract. Tod's Rajasthan does not prove or state in so many words that the Rawats were "in full enjoyment of the right vested in their house as hereditary leaders of the van in battles," but it is certainly the fact that they are described as "Rutten Chondawat of Salumbara" and "Kandul of Salumbara."</p> <p>It is of course well-known that there are many mistakes and inaccuracies in Tod's great work. It would indeed be wonderful if that were not so, considering the kind of material on which he had to work in compiling his history. As an instance of a mistake in nomenclature may be cited his styling Raj Raghodeo, who was really of Delwara, as being of Sadri. (See page 1548 of the Author's edition.)</p> <p>But even apart from the question of inaccuracy, it is quite likely that Tod's informants, or the books on which he based his facts, did describe Ratan Singh and Kandhalji as being of Salumbar, when as a matter of fact they had been ousted from Salumbar and were then enjoying the Chawand Jagir. The Chondawats were away from Salumbar for not more than 24 years, which must have appeared as only a brief span when looked at, as it would be in Tod's time, from across an interval of a century and a quarter. The ousting of an ancient historical house from its original possessions for a few years, followed as it was by their restoration, would not suffice to make the Rawats who were actually ousted in the minds of the bards, nobles, and common people, anything other than "of Salumbar." Instances of this kind of thing from present times are numerous, the Rawat of Koliari is to this day called "the Lawa Raoji" by the common people, although his family were turned out of Lawa in the middle of last century by Maharana Sarup Singh.</p> <p>Thakur Bhairon Singh, Saktawat, who died last year, was up to the time of his death styled "the Thakur of Dangarmau," though the present Maharana confiscated that jagir about the year 1903 A. D.</p>
	56	<p>Second Part. Salumbar alludes to Rawat Kandhalji's "privilege as the hereditary Bhanjgurrea of the State." The Durbar, on the other hand, deny altogether Salumbar's claim to be hereditary Councillor of Mewar. They say that if that is really Salumbar's status, how could the Sindhi Rahim Beg have been given, in conjunction with Rawat Bhim Singh of Salumbar, "the entire Bhanjgur of Mewar as well as Deccanics" (see remarks above on paragraph 30, and Appendix I to the Representation)? So far from Salumbar having always in the past been the State's hereditary Councillor, the Durbar assert that the following among others have held that post:—</p> <p>After Chondaji's departure from Mewar, Rao Rormal and Hara Sur Singh of Bemali were the Councillors. In the time of Maharana Udai Singh the Rawat Khanji of Kotharia was the Councillor, and after that the Kameti or Pardhan or Prime Minister. Afterwards among Councillors were Thakur Gopinath of Ganerao (an estate now in Marwar); Rao Kesri Singh of Parsoli; Jaswant Singh, Rawat of Deogarh; Baba Khuman Singh of Jahazpur; Parohit Ranchhor Rao; Raj Raghudeo of Delwara; Baba Bharat Singh of Khairabad; Fateh Khan, Mahawat; Dodia Sundar Singh; Dhabhai Nag Raj; Dhabhai Rupa; Barua Amar Chand.</p>
	57	<p>With regard to Appendix K the Durbar are unable to express any opinion unless the original letters are produced for their inspection. The dates of the first five letters cited in the Appendix conflict with the dates of the History of Mewar because according to the History Rawat Kandhalji was killed in Sambat 1748, while the Appendix purports to show that letters were written to him by Maharaj Kunwar Amar Singh up to Sambat 1751.</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
32	58	<p>It is certainly not true that all the villages round the edge of the Jaisamand lake belonged to Salumbar at the time the alleged parwana was given to Rawat Kesri Singh I of Salumbar by Maharana Amar Singh II in Sambat 1765. Thori and Semal, which are Run villages (see list on page 34 of the papers printed in 1908) as well as other villages, are found entered in a patta of Sambat 1767 which was given to a Rao of Bedla, and is still in the possession of that family. This patta shows those villages as belonging to Bedla. It is not possible to say for certain whether that was the first occasion when those villages were conferred on Bedla or whether this was merely a fresh patent, re-conferring existing rights, issued on the succession of a new Rao of Bedla. Bedla mortgaged Thori, Semal, and other villages to the Rao of Kurabar at some period after Sambat 1767. In Sambat 1873 the State records show that Maharana Bhim Singh addressed a letter to the Rao of Bedla, with reference to some representations that Bedla had made, to the effect that the villages Thori, Semal, Kura, Mandura, and Gamri (which are all Run villages, see page 34 of the printed papers of 1908) had been given to Bedla by the State, and that if Bedla had chosen to mortgage them to Kurabar it was for Bedla to settle the matter with Kurabar; the State had given the villages to Bedla and had no further concern with them.</p> <p>The question of Thori and Semal villages came up again in Maharana Sarup Singh's time (the middle of last century), and there is an entry in the Bahi which was prepared during that Maharana's rule that Thori and Semal belonged to the Rao of Bedla, and that he had got them entered in his own patta or grant, and that Bedla wanted to redeem those villages from a mortgage held on them by Kurabar, while Kurabar contended that the villages actually belonged to him. Eventually the question appears to have been settled by Kurabar retaining Thori and Semal, while Bedla acquired from the Durbar a khalsa village name Kualia, and gave up to the Durbar a small village called Karju.</p>
	59	<p>Another inaccurate assertion by Salumbar in this paragraph of the Representation is where he says that Rawat Bhim Singh of Salumbar augmented the State's grant to Siar out of his own estate with the three villages Kotra, Jawarda and Gamri. The Durbar possess copies of the pattas or grants in their old Bahis showing that the above villages were granted to Siar by the Durbar. It is of course possible that they may have been taken away from Salumbar by the Durbar and given to Siar.</p>
	60	<p>If the Durbar were to call upon Bhadesar and Kurabar to produce the original patents conferring the estates on their ancestors, those jagirdars would assuredly refuse to produce them or would make some excuse for non-compliance.</p>
	61	<p>It is not the case, I am assured by the Durbar, that Mehturi was "never a Run village," or that it was "thrust into the Run since A. D. 1850." Indeed, the inhabited site of this village (as can still be verified on the spot, the Hakim of the Magra district, in which Maeturi is situated, states) used to be on a still lower level than it now is, but it was moved to higher ground because it was always being surrounded by the lake water.</p>
33	62	<p>Captain Cobbe's parwana in which the customs outposts at Gingla is mentioned (Appendix B) has already been discussed in the remarks above on paragraphs 6, 7, and 14.</p> <p>Nothing can be said by the Durbar about Appendix L unless the original is produced for their inspection. But, if genuine, this Restoration Deed shows that Salumbar villages had been confiscated by the Durbar, a fact which has been denied by Salumbar in paragraph 41 below of this Representation and perhaps also in paragraph 8 above, though in the latter case the phraseology is not quite clear and the assertion may be only that no villages in the Run had ever been confiscated by the Durbar prior to Sambat 1906.</p>
34	63	<p>Appendix C appears to have very little, if anything, to do with the Run question. It deals with Customs matters, in regard to which Salumbar has submitted a separate Representation in Part III.</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
35	64	<p>According to Kaviraja Shyamal Das' "History of Mewar" (see page 41 of the printed papers of 1908) during the years immediately preceding the construction of the Jaisamand dam by Maharana Jai Singh, or, to be exact, from about the year 1670 A. D. the Chondawats had not possession of the villages which became submerged when the dam was completed. The dam was constructed between the years 1687 or 1688 and 1691 or 1692 A. D. and the restoration of the Chondawats took place, according to the above "History of Mewar," in 1692 A. D. There is nothing one way or the other, to show what extent of land the restored Rawat, of Salumbar was at the time put in possession of in the villages bordering on the Jaisamand Run which were made over to him, with the rest of the thikana in A. D. 1692. The Durbar cannot prove that the Run was then excluded from the Rawat's possession, any more than the Rawat can prove that it was included. I think the more probable presumption is that from that time onwards, at any rate, Salumbar has always been <i>in possession</i> of the Run lands lying below his Run villages, though he cannot prove that he was ever granted those Run lands by a patent from any Rana.</p>
27	65	<p>The actual facts may be stated more accurately as follows :—</p> <p>Patan, one of Salumbar's Run villages, was confiscated in Maharana Sarup Singh's time (Sambat 1906 or A. D. 1850). There was a boundary dispute between that village and Maeturi. An order was issued for the produce to be deposited with a third party, but Salumbar (Rawat Kesri Singh II) forcibly removed the produce, and in consequence Patan was confiscated. Salumbar then equally forcibly expelled the Durbar's attaching party which was holding the village. Other Sardars did the same thing elsewhere (see remarks above on paragraphs 8 and 9). The Durbar were not strong enough to coerce these nobles by force, and the political officers would not come to the help of the Durbar with British troops, as they considered that Maharana Sarup Singh had brought those troubles on himself by his harsh and inconsiderate conduct towards the Sardars. Consequently the Maharana was unable to eject Salumbar from Patan and to re-confiscate that village.</p> <p>Rawat Jodh Singh succeeded Rawat Kesri Singh II in Sambat 1920, and it was not until Sambat 1923 that the boundary dispute between Sarari and Mehturi was decided with the help of a Panchayat. The settlement of this case by Amin Jwala Prashad, who made his decision depend entirely on the actual line arrived at by the panchayat, was certainly a "regular decision." In Sambat 1956 Captain Pinney, the State's Boundary Settlement Officer, was told to settle the dispute between the Maeturi and Sarari villages, but when he went to the spot Salumbar's representatives produced before him a copy of the decision of the Amin Jwala Prashad and asked that the case should be settled and demarcation made in accordance with that decision. Captain Pinney inquired from the Durbar whether they agree to the adoption of this course, and on receipt of an affirmative reply the case was decided and demarcation made conformably to the Jwala Prashad settlement of Sambat 1923.</p> <p>It is really absurd for Salumbar now to argue as he does that the decision of Sambat 1923, in face of the above facts, was not a "regular decision," or that the non-production of the parwana of Maharana Amar Singh in the proceedings of Sambat 1923 was an immaterial incident. Had the parwana been produced at that time it would have at once established the fact (supposing its genuineness not to have been questioned) that, the entire Run belonging to Salumbar, no part of it could belong to the Mehturi village, and therefore neither Salumbar through its panches, nor the panches themselves, could possibly have acquiesced in a decision by which Maeturi was admitted to have a large slice of the Run.</p>
38	66	<p>It is no doubt the case that there was considerable warfare in Rana Jai Singh's time, but if it had been so continuous and severe that even a short parwana could not be placed before the Rana for his approval, how could the Rana have been able to devote the money, time and thought required for the construction of the massive Jaisamand dam? Moreover, it is the fact that there are now in existence pattas or grants of the time of Rana Jai Singh, held by the first-class i. o. les of Gogunda and Delwara.</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
40	67	As observed above in the remarks on paragraph 32 it is extremely probable, though not absolutely certain, that some portions of villages belonging at the time to Bedla were submerged when the Jaisamand lake was built. As to those belonging to the then incumbents of the Salumbar estate it has been in my opinion conclusively established by the Durbar that the owners of the time were the Chohans of Parsoli and not the Chondawats from whom the present Rawat of Salumbar inherits. Therefore the accident that the Chondawats happened afterwards to be placed by the Durbar again in possession of the Salumbar estate, diminished at the time of such restoration by the extent of the lands submerged by the waters of the lake, does not entitle them to put forward the claim to preferential treatment on the ground that <i>their</i> ancestral property had been lost through the construction of the lake by the Durbar.
	68	With regard to Bhana, a village belonging to the first-class noble (of comparatively recent creation as such) of Asind, it is not the case, I am informed by the Durbar, that Bhana possesses any Run land in the Rajsamand (lake). It is true, however, that in the later period of Mewar history the Rawat of Asind merged some Run lands of the Rajsamand with the lands of his village Bhana. Maharana Sarup Singh (who ruled in the middle of the 19th century) turned Asind out of those Run lands, as is proved by an entry to that effect in the State Bahi. In recent years Asind has again taken possession of those Run lands, and the Darbar are about to turn him out again.
41	69	The reference to the source from which the words "the master of the throne" have been taken is not given, and in the absence of the context no comments can be made on the assertion in the third sentence of this paragraph. But in any case the Government of India can certainly not lend their support to a feudatory noble, who owes no direct responsibility to that Government, in his claim to be "the master" of the Durbar which is responsible to that Government for the good administration of both khalsa and jagir lands.
	70	As already stated in the remarks on paragraph 31 the Durbar deny the contention of Salumbar that from the time of Chondaji, the founder of the house in the 15th century A. D., to that of Rawat Bhim Singh who lived in the rule of Maharana Ari Singh II (A. D. 1761-73) "Salumbar has exercised its hereditary functions of chief arbitrator and adviser in all matters of the State, foreign and local."
	71	Salumbar further states that a dhons (which is very much the same as a daily fine continuing until the Durbar's orders have been complied with by the recalcitrant party) or khalsa (attaching party) could never have been sent without Salumbar's sufferance, except perhaps on isolated occasions during Rawats' minorities or "unusually weakened crises." The Durbar reply to this that Chondaji himself went away from Mewar; and that from the statement A (List of Rawats of Salumbar who received visits of condolence from the Maharanas from the time of Rawat Kandhalji) attached to the Kharita dated 24th July 1906 from Rawat Onar Singh of Salumbar to the Political Agent, Mewar (see page 10 of the printed papers of 1908), Salumbar themselves admit that in the time of Maharana Kumbha, Uday Singh, Sangram Singh, and Partab Singh, Rawat Onar Singh's ancestors resided, now at Bhainsrorgarh and now at Begun, according to the pleasure of the Durbar, who could and did resume the estates of the nobles and shift them about from one thikana to another. The Durbar further say, in contradiction of Salumbar's argument that it was only when Salumbar was exceptionally weak that the Ranas dared to attach his villages or fine him, that Maharana Raj Singh confiscated the whole of the Salumbar estate; and that Maharana Bhim Singh (in the early part of the 19th century) confiscated the Salumbar villages of Chibora, Devli, Barodia, and Parla. Of these villages, Chibora and Devli were given back in the time of Maharana Bhim Singh himself, but Barodia and Parla have never yet been restored,* and Salumbar has gone on sending petitions about those villages up to the time of Maharana Sajjan Singh and the present Maharana. (See paragraph XV at page 8 and Appendix F at page 14 of the printed papers of 1908. In paragraph XV it is stated, by the way, that "we are only told that the persons will be given other villages and that our own villages will be returned to us, which has not been done up to this day." This is not correct; the reply of the Durbar to the Salumbar petitions in regard to Barodia and Parla, which have been given to other jagirdars, is that they cannot be restored to Salumbar.)

* This shows incidentally that Captain Cobbe's letter, Appendix B, has never been acted on in full by the Durbar in regard at any rate to the sentence "Your villages Chibora Devli, Podo" (i.e., Barodia) and Parla are settled upon you." (See remarks on paragraph 7 above.)

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
		<p>According to Appendix L to Part I of Salumbar's present Representation, Barodia and Parla were restored to Salumbar many years ago by order of Captain Cobbe, Political Agent; but, as stated above in the remarks on paragraph 33, the Durbar cannot express any opinion about Appendix L until they have had an opportunity of seeing the original.</p> <p>In Maharana Sarup Singh's time (the middle of the 19th century) many of Salumbar's villages were confiscated, and remained a long time under confiscation.</p> <p>In the time of Maharana Shambhu Singh, Sajjan Singh, and of the present Maharana dhonses and fines have been imposed and confiscations made, in regard to Salumbar villages.</p> <p>It is therefore clear, the Durbar maintain, that Salumbar is quite wrong in what he says in this paragraph, and that dhonses and khalsas have always been and always are sent, irrespectively of what Salumbar's circumstances might happen to be at the time.</p>
42	72	<p>Appendix M appears to me to deal with two subjects only :—(i) certain customs matters; (ii) the restoration of a village to the Rawats Parohit.</p> <p>Salumbar had himself petitioned about Customs compensation, and about the village Karorio, to the Durbar; and it was in reply to that petition that the parwana Appendix M was issued by order of the Maharana.</p>
43	73	<p>Appendix N purports, according to this paragraph, to be an extract from the "Raj-bilas" and the "Khuman Rasa" and other inscriptions of the 17th century. Appendix N, in point of fact, is an extract from an inscription found at Eklingji dated Sambat 1545, or A. D. 1489. The alleged parwana granted by Maharana Amar Singh II to Rawat Kesri Singh I of Salumbar is dated Sambat 1765, or two centuries later, so that a comparison between the parwana and the inscription is not very profitable. The Eklingji inscription certainly does contain Gujarati words, and the Durbar say that it may possibly have been written by a Pandit hailing from Gujarat; but what the Durbar maintain, and what is not disproved by the inscription, is that such Gujarati words as are found in the alleged parwana are not, and never have been, used in pattas or parwanas issued by the State authorities at Udaipur.</p>
45	74	<p>Captain Cobbe's letter (Appendix B) has already been discussed in the remarks on paragraphs 6, 7 and 14.</p> <p>I entirely fail to see any action that the Durbar have taken which can fairly be designated as a repudiation of Tod's Kaulnama. Rather it is Salumbar himself who repudiates that Kaulnama in paragraph 8, Part III, and paragraph 3, Part IV, of this same Representation. See remarks on paragraphs 5 and 7.</p> <p>Whatever Dr. Stratton may have written in his State Gazetteer does not in any way add to or detract from the actual wording of Tod's Kaulnama, and the Kaulnama nowhere says that all the Mewar Chiefs were to be maintained in possession of all the lands still held by them at the time the Kaulnama was executed. The only rights it confers on the jagirdars are given in the 8th clause of the Kaulnama. As given in the First Appendix, No. XX, to Tod's Rajasthan, Volume I, that clause runs :—</p> <p>"The Maharana shall maintain the dignities due to each Chief according to his degree." A literal translation of the Hindi original is :—</p> <p>"The Shri Durbar shall extend equal treatment to all Sardars. Treatment shall be such as their services deserve."</p> <p>Every single other clause in the Kaulnama, except the above-quoted 8th, refers to duties devolving on the Jagirdars; the 8th is the only one which confers any rights upon them.</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.																												
46	75	<p>I do not think that anyone reading paragraph 46 and paragraph 24 (iii) without further explanation would readily understand what the argument propounded by the Durbar is which Salumbar endeavours herein to refute. In the Mehkma-khas order No. 18299, dated Baisakh Sudi 9th Sambat 1964 (translation attached) to the Boundary Settlement Officer Mewar, it is said :—</p> <p>“ During Maharana Bhim Singh's time in Sambat 1878 the Sardars of Mewar were got to record in a Bahi the names of the villages of their respective pattas with the amount of income of each village. At that time Salumbar was also, like other Sardars, made to enter the names and incomes of the villages of its patta. The Salumbar Motamid remarked in signing the entries in the Bahi that if there be any discrepancy he will be held guilty. The Bahi shows that Salumbar noted the following six villages only of the Run at that time :—</p> <table><tr><td></td><td>Rekh.</td><td>Upat.</td><td>Hal Upat.</td></tr><tr><td>Namlo</td><td>700</td><td>700</td><td>150</td></tr><tr><td>Singauli</td><td>500</td><td>600</td><td>250</td></tr><tr><td>Sarari</td><td>1,000</td><td>1,000</td><td>600</td></tr><tr><td>Ginglo</td><td>1,500</td><td>3,000</td><td>1,500</td></tr><tr><td>Patan</td><td>1,200</td><td>800</td><td>300</td></tr><tr><td>Chiboro</td><td>1,000</td><td>500</td><td>100</td></tr></table> <p>“ *****. The value of the villages can be judged from their incomes noted above. The present value of these villages can be seen by visiting them.”</p> <p>It is first necessary to explain the meaning of “rekhs,” “upats,” and “Hal upat.” Up to the time of Maharana Sangram Singh II (the beginning of the 18th century) “rekhs” meant twice the annual income of a village. Afterwards it had no fixed meaning, being sometimes 1½ times the annual income, sometimes equal to it; and sometimes less than it. In Maharana Bhim Singh's time, when the Bahi in question was prepared, the meaning of “rekhs” was still indeterminate; but from the time of Maharana Sarup Singh onwards, “rekhs” again came to mean double the annual income.</p> <p>“Upat” means the income attributed to a particular village when first assigned by any particular grant. Thus if a jagir worth, say, Rs. 3,000 was being given by a Maharana, each village would have an “Upat” standard value attached to it, the sum of the “upats” making up Rs. 3,000.</p> <p>“Hal Upat” means the actual annual income of a village “at the present time,” i.e., in the case under consideration, when the Bahi was being prepared.</p> <p>The argument of the Durbar is that the entries regarding Salumbar villages made in the Bahi,—entries which the Salumbar representative vouched for as being correct—show that it cannot have been supposed that the lands of those villages included Run lands, because if Run lands were included the value of the villages would have been very much larger than the figures found in the Bahi, a fact which can be ascertained by an inspection of these same villages at the present day and by making a summary estimate of their present value excluding Run lands.</p> <p>Salumbar dismisses the Durbar's argument with the remark that the estimates showing the annual value of the villages referred only to the particular year A. D. 1822 or Sambat 1878. “To regard these figures as ever permanent and typical for the future roll of years is, to say the least, unsound. They never were steady in the past and naturally will ever remain fluctuating in the future.” This reply on the part of Salumbar certainly meets the case so far as the “Hal Upat” figures are concerned, but it is no satisfactory answer in regard to the “upat” or standard figures of the time when villages were first granted to Salumbar. The “rekhs” figures we must omit from consideration in this connection altogether, as the meaning of “rekhs” is so uncertain. But if an examination of the Salumbar Bahis (assuming the genuine books were produced) were to show that Salumbar has been in the habit of deriving from these villages an income vastly in excess of the “upat” figures of the Bahi of Sambat 1878, this fact would certainly weaken the force of Salumbar's claim to hold the run lands, lying below his villages, under a grant of some Maharana, though it would not affect his claim based on long possession.</p>		Rekh.	Upat.	Hal Upat.	Namlo	700	700	150	Singauli	500	600	250	Sarari	1,000	1,000	600	Ginglo	1,500	3,000	1,500	Patan	1,200	800	300	Chiboro	1,000	500	100
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Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
47	76	<p>The Durbar order No. 2400 dated 9th August 1909 (translation attached) contains in clause 2 the sentences :—</p> <p>“When in the month of Asoj Sambat 1932 the bursting of the embankment of the Jaisamand lake was feared it was decided, according to the proposal of Colonel Herbert, then Political Agent in Mewar, to carry out repairs to the embankment and to recover the money expended from the lands benefiting from the water of the tank. With a view to apportioning the expenditure Bakhshi Riddhi Ram was deputed to survey the whole land. The Bakhshi surveyed the khalsa and jagir lands and prepared and submitted a Khasra and Goshwara. You were then asked to pay up your share of the expenditure but you put it off and did not pay your share. You agreed to have your land surveyed according to the proposal of the Political Agent but subsequently, when the late Maharana Sajjan Singhji was invested with powers you objected to paying your share. It is proper that your share of the expenditure should be realised from you with interest. You have up to now continued to benefit unlawfully from the water of Jaisamand.”</p> <p>Even if it be assumed that by the sentence “it is proper that your share of the expenditure should be realised from you with interest” is meant that the Durbar intend now to realise this charge from Salumbar, I do not see how this is an indirect admission “that the alluvial soil (i.e., Run) between Salumbar villages and the water-covered area of Jaisamand belonged to Salumbar.” The Durbar intend to give to Salumbar, from out of the area falling below the contour line of Mr. Wakefield's survey of 1907-08, as much actual Run land as they are entitled to according to the Abstract of the A. D. 1876-78 Survey. The Durbar are now, having a survey made of the upland portion of the Run villages, the portion that is to say, above the contour line of Mr. Wakefield's survey. When this has been done, the Durbar will be in a position to know to what extent the lands above the contour line, added to the lands with Salumbar will receive, as stated above, from below the contour line, correspond in area with the lands of each of his villages entered in the Abstract of the Survey of 1876-78.</p> <p>It is quite possible that in the result it will be found that Salumbar's present possessions are not less than those recorded in the 1876-78 Abstract. Now had the Durbar been able to recover from Salumbar the thikana's proportionate share of the cost of strengthening the dam of the lake, as was intended by Colonel Herbert, that realisation would certainly have been made by a per acre rate on the area recorded in the Abstract of the 1876-78 survey. No acreage rate could possibly have been charged on the undefined (undefined in the case of all villages except one, Singauli where it was stated if Appendix P (5) can be relied on that “two-thirds of the Run land under this village is in” the lake) areas stated to be submerged when the survey of 1876-78 was made. If there had been any intention on the part of the Durbar, either about 1876-78 or now, to recover from Salumbar a proportionate charge on the submerged Run lands, then this would have constituted an indirect admission merely of the fact that Salumbar had been in possession of those submerged Run lands for some indefinite period up to 1876-78. There would have been no admission that such possession had necessarily been a rightful one. The actual intention of the Durbar in 1876-78 being, as it was to realise from Salumbar a proportionate charge calculated on the lands benefiting by the lake water, actually measured—lands the area of which, as then measured the survey now being made may show to be not in excess of the thikana's present possessions in those villages—it follows that there has been no admission by the Durbar in regard to the Run lands under Salumbar's villages, that the extent of such Run lands is in any way greater than that which the Durbar are for the future prepared to allow Salumbar to hold possession of, subject to payment of water rate if water is taken from the lake.</p>
	77	<p>The excessive volume of water in the Jaisamand lake, which made the Political Agent of the time, Colonel Herbert, so anxious lest the dam should give way, occurred during the monsoon of Sambat 1932 or 1875. Maharana Sajjan Singh was then still a minor, and Colonel Herbert was exercising the functions of the Durbar. After seeing for himself the state of things at the Jaisamand, he issued instructions for the immediate strengthening of the dam, and for a survey to be made of all lands, jagir and khalsa, which in any way derived advantage from the lake water; the object of the proposed survey being to levy an acreage rate on all such lands to be devoted to the cost of the strengthening of the dam. A surveyor named Bakhshi Riddhi Ram was appointed to undertake the survey. This</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
48	78	<p>surveyor reported in April 1876 to the Mehkma Khas, Udaipur, that Salumbar had raised the objection that some particular land which the surveyor had wished to measure really received its irrigation from a river and not from the lake itself. The Bakshi asked for orders on this, and added that an "asamiwar" survey (that is, one giving details holding by holding) of each village would have to be carried out or else the necessary information for levying the rate could not be obtained. The Mehkma khas addressed the Political Agent, asking him to write to Salumbar and Salumbar was told by that officer not to obstruct the survey proceedings. Salumbar agreed in May 1876 to have the survey made. By this time of year, of course, the excessive flood water of the previous autumn must have disappeared. The survey took some time to accomplish, and the Goshwara or Summary was submitted by the surveyor in Sambat 1934 (1877-78). In passing it may be noted that Salumbar preserved a discreet silence at that time in regard to his claim to own the entire Jaisamand Rund, and the possession of a parwana of Maharana Amar Singh II was not so much as even hinted at. Salumbar raised no further objections of any kind as long as the Political Agent continued to administer the State's affairs, but he began objecting in Sambat 1935, after Maharana Sajjan Singh had obtained ruling powers.</p> <p>As for "the golden silence observed on the part of the State in not forcing again this demand on the Thikana" which "showed an admission and acceptance on its part of the general soundness of the Thikana's objection," it is no doubt perfectly true that Maharana Sajjan Singh made no very serious efforts to make Salumbar pay up its share of the expenses incurred on the strengthening of the lake dam.</p> <p>The figure 491 bighas given in this paragraph is the total of the entries in the 1876-78 survey abstract or goshwara, under the headings "Run sirma," "Run parat kabil Saraat," "Run pani men," and "kura run men."</p> <p>The Durbar revenue officials have not been able to trace in their records the originals of the khasras and khataunis of which the Appendices appearing under the letter P purport to be copies. But the Durbar on the information at present in their possession, are not prepared to deny the authenticity of those documents.</p> <p>And this being the case, I do not think there is much force in that part of the following argument of the Durbar which Salumbar endeavours in this paragraph to refute. The Mehkma has order No. 2400, dated 9th August 1909 (translation attached) stated in the course of clause 2:—</p> <p>"You produced the khasra given to you by the Mehkma khas and stated that when the survey was carried out the land, which was actually the land of your villages and not run, was under water and would be surveyed when it came out. In the first place the run has not been granted to you by this State and therefore you have no right to it. Secondly, the Goshwara submitted by Bakhshi Riddhi Ram does not state that there is any land under water which will be measured on its coming out. The Goshwara shows only 47 bighas of the land of the village of Sarari under water and makes no mention of the lands of any other villages. The Goshwara was submitted in Sambat 1934 and the survey commenced in Sambat 1932. You could have got the land under water surveyed within the above period of two years if you had wished it. But at that time except for Sarari you had no land under water in your unlawful possession otherwise you would have certainly made a protest when khasra was given to you. You did not submit the khasra in connection with the boundary dispute between Sarari and Maeturi nor subsequent to it. You did not submit the khasra in the Sarari-Maeturi case for the reason that the land shown in the khasra was less than what you laid claim to. Even according to the Khasra of the survey carried out by you the land in your possession cannot be as much as what has been awarded to you by the Boundary Settlement Officer in his decision. But as the case has been decided by the Boundary Settlement Officer and passed the appellate stage the decision will not be altered."</p> <p>I do not think that any inference adverse to Salumbar can fairly be drawn from the absence of any remarks in the Survey Abstract or Goshwara to the effect that other unsurveyed land was under water, and would be measured on emerging. For one thing, the Bakshi may never have consulted with Salumbar in drawing up the Abstract, which includes khalsa villages and villages belonging to other jagirdars besides Salumbar.</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
	79	The Boundary Settlement Officer's decision of 1899 in the Sarari-Maeturi case has been referred to in the remarks on paragraphs 5, 11, 12, 23, 25 and 37. That decision was made quite independently of the survey of 1876-78, and so far as is known the Boundary Settlement Officer never had his attention drawn to that survey, either by the Durbar or by Salumbar, and he may not have been aware of the existence of the survey. The khasras and khataunis of which translations are now given in Appendix P were, no doubt of express purpose, kept back by Salumbar when Captain Pinney went to decide the boundary line between Sarari and Maeturi. The broad fact of the matter is that at the time of the 1876-78 survey Salumbar thought that the more land that he caused to be measured up and recorded as belonging to the estate, the heavier would be the bill which the State would eventually present for payment, and he was therefore anxious not to show more land as being in his possession than he could avoid doing; whereas in 1899 all that he was trying for was to push his boundaries as far as possible in the direction of the Khasra village Maeturi.
49	80	<p>When it is a case of having to pay up its share of the cost of repairing and strengthening the dam of the lake, in proportion to the area of land which habitually derives benefit from the water in the lake, the thikana is quite ready to allege a minimum of land in its possession; but when it comes to claiming ownership without any payment attaching to such ownership, the Salumbar lays claim to the whole Run.</p> <p>It is true that before the survey of 1876-78 no "notification was ever issued to the effect that all the lands lying in the high-water-mark level was the khalsa property."</p> <p>It is equally untrue that the only aim of the survey was, to all intents and purposes, to measure the <i>outlying</i> (by which is meant by Salumbar, lying outside the lake waters) lands in order to realise the cost of repairing the dam from such of the lands as derived benefit from the lake water. The real aim of the survey, as projected by Colonel Herbert, the Political Agent, was to obtain, for the purpose of a special assessment, a record of all lands, of whatever kind, which habitually derived any benefit from the presence or proximity of the lake water, and the strip of run land between the normal highest level and the normal lowest level of the lake, which comes under cultivation in all normal years, should certainly have been included in the survey by the Bakhshi and the local agents of Salumbar who helped him in surveying the Salumbar Run villages. The above strip of normal cultivation must have emerged from the lake, even if, by reason of the heavy flood of 1875, too late for it to come actually under cultivation in those seasons, during the hot weathers of 1876 and 1877, when the survey was still proceeding, and it could then have been measured and recorded. Or even if for the sake of argument it be assumed that the flood water remained so long in the lake that the strip of normal cultivation never emerged at all during the whole course of the survey, still the villagers and the local agents of Salumbar, had they so chosen, could easily have given an approximate estimate of the area of the strip of land which they knew to be habitually cultivated. The reason why they did not do so was simply, because, as stated above, the greater the area of land that came under measurement or was entered in the surveyor's records, the more Salumbar would in the end have had to pay. Had the Political Agent remained in charge of the administration for some years longer, as he was when the survey was begun, there is little doubt that Salumbar would really have had to pay his share of the cost incurred in strengthening the lake dam. As things turned out, Maharana Sajjan Singh received ruling powers and did not compel Salumbar to pay.</p>
50	81	<p>In Appendix P (4) (Sarari village) the heading of the 6th column should be "Renth on lake" and not "Run on lake." A "rent" is a Persian wheel. Of the various entries in P (4), "Renth on lake," "Gorma," "Renth on River," "Sirma on River," and probably also the whole or greater part of "Parat, Magri, Chhapar, etc.," and "Sandy Land Melon Field" would fall above the present contour or "elephant feet level" line.</p> <p>The Persian wheels referred to in the heading "rent" on lake" are situated, as I have satisfied myself from a personal inspection of the whole contour of the Jaisamand, either at the level of the elephant feet level line, or above that level. Channels are dug from the edge of the lake water to holes or ditches excavated beneath the Persian wheels, and these channels are deepened to the necessary extent as the lake water recedes. The wheels raise the water which is brought by the channel</p>

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—contd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.																												
		<p>to a level some feet higher, and thence it is distributed by small channels to the various fields. Thus it may be said with confidence that practically all the land classified at the survey of 1876-78 under the heading "renth on lake" was land which is above the contour line, and therefore under the decision of the Durbar such land remains in the undisturbed possession of the Jagirdar. "Gorma" land is land situated close to the habitations of a village. There are no houses at or below the level of the contour or elephant feet level line, because the risk of flooding would be too great. Therefore gorma land must all be above the elephant feet level line, that is, it still remains in the possession of the Jagirdar.</p> <p>"Renth on river" is land irrigated by means of Persian wheels, on or near the banks of the river Gomti which flows into the Jaisamand lake on its northern side. Such land must be all, or nearly all, at some distance from the bed of the lake and therefore from the contour or elephant feet level line. - It is therefore still in the possession of the Jagirdar.</p> <p>"Sirma on river" is also land situated on or near the banks of the Gomti river, but instead of being irrigated by Persian wheels, it is "sirma" or land retaining sufficient moisture owing to the nearness of the river or lake to make it cultivable without artificial irrigation. Nearly all such land must be above the level of the elephant feet line and therefore still in the Jagirdar's possession.</p> <p>"Parat, Māgri, Chhapar, etc.", is waste, hilly, stony, inferior land. Same of this may possibly have been found on and near small eminences, knolls, etc., which are below the level of the contour or elephant feet line; but probably the greater part such land is above that line, though at the time of the 1876-78 survey, when the elephant feet level line had no existence, such land was all looked upon as being "in the bed of the lake" (see note at foot of the first of the two Appendices P-4).</p> <p>To keep on the safe side, however, it may be assumed that all the land in Sarari village classed in the survey of 1876-78 under the two headings "parat, magrit, chhapar, etc.", and "sandy land melon field" is situated fallen below the present elephant feet level line, and would therefore have become khalsa under the Durbar's order of 1908, but for the special reservation in the Durbar's orders that in regard to the village Sarari the Boundary Settlement Officer's decision of A. D. 1899 is to be maintained.</p> <p>In Sarari we have thus as land which under the survey of 1876-78 was measured in detail and was then considered as being "in the bed of the lake," and which land would now be found below the level of the elephant level line :—</p> <table><tr><td></td><td>Bighas.</td><td>Biswas.</td><td>Biswansis.</td></tr><tr><td>Run. sirma</td><td>193</td><td>..</td><td>18</td></tr><tr><td>Uncultivated run, culturable</td><td>231</td><td>4</td><td>10</td></tr><tr><td>Run, in water</td><td>52</td><td>11</td><td>8</td></tr><tr><td>Waste and hilly land, etc.</td><td>198</td><td>8</td><td>8½</td></tr><tr><td>Sandy land and melon fields</td><td>37</td><td>15</td><td>10</td></tr><tr><td>TOTAL</td><td>713</td><td>..</td><td>16½</td></tr></table> <p>The area of land below the elephant feet level line which was awarded to the village of Sarari by the Boundary Settlement Officer's decision of 1899 is 835 bighas. Salumbar's ownership and possession of this Sarari land is, under the Durbar's order of 1908, not to be interfered with, so that, so far as Sarari is concerned, Salumbar will retain possession of much more land below the elephant feet level than he would be entitled to according to the survey records of 1876-78, even if those records are interpreted in Salumbar's favour with far more liberality than strict equity would require.</p>		Bighas.	Biswas.	Biswansis.	Run. sirma	193	..	18	Uncultivated run, culturable	231	4	10	Run, in water	52	11	8	Waste and hilly land, etc.	198	8	8½	Sandy land and melon fields	37	15	10	TOTAL	713	..	16½
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TOTAL	713	..	16½																											
82		<p>With regard to Salumbar's remark that it made no difference whether the survey lists were produced or not at the time of the decision of the Maeturi-Sarari boundary dispute, I certainly think that Salumbar should have produced them, if only for the Boundary Settlement Officer's information, if he wished to act straightforwardly.</p>																												

Detailed remarks on Part I of the Representation by the Rawat of Salumbar—concl'd.

Paragraph of Salumbar's Representation.	Section of my Remarks.	Summary of Remarks.
	83	The figure 234 bighas given in this paragraph is obtained by adding up in the Abstract or Goshwara of the 1876-78 survey the entries in the columns headed "run sirma" "run parat kabil zaraat," "run pani men," and "kura run nien," The village Sarari, in respect of the Run of which special orders have been issued by the Durbar, is of course excluded in arriving at the total of 234 bighas. If the Sarari Run awarded under the Boundary Settlement Officer's decision of 1899 be added, namely 835 bighas, the total area which Salumbar has obtained and will obtain under the Durbar's order of 1908, below the elephant feet level line, comes to 1069 bighas.

A. T. HOLME,

*Resident in Mewar.**The 1st December 1910.*

Translation of the order No. 2400, dated 9th August 1909, passed by His Highness the Maharana of Udaipur on a representation submitted by the Rawat of Salumbar.

The Foujdar and Kamdar of Salumbar may be informed as follows :—

You have stated that the estate enjoys civil and criminal powers but these have not been granted to you by this State. The cases of your Assamis have been filed in and decided by the State Courts, which can be seen from statement No. 1 accompanying this, where a few cases are shown by way of illustration. It is evident from that statement that even in those cases in which both the parties belonged to your estate, were filed in and decided by the Magra Court and respectable persons of your estate brought the Assamis and attended the trial and got the cases decided. Copy of statement No. 2 accompanying this shows that the statements of even the Foujdar and Kamdar of the estate were recorded in the Magra Court. There is a petition dated Mangsar Sudi 11 Sambat 1937 from Rawat Jodh Singhji to the following effect :—"A communication has been received from the Mehmakhas asking to send the Assamis with respectable persons to Jaisamand and to have the cases decided. On this the Assamis were sent with respectable persons to Jaisamand but the cases have not yet been disposed of. It is therefore requested that the Hakim of Jaisamand may be ordered to dispose of the cases." A copy of that petition (enclosure No. 3) is enclosed herewith from which it is clear that respectable persons of your estate brought assamis with them and produced them before the Hakim of Magra and that cases have continued to be decided (by his court). You are now putting forward a new objection. In future you should invariably produce Assamis when called upon to do so otherwise suitable orders will be passed.

When the cases of your Assamis were filed in the State Courts and you were asked to produce them, you, instead of complying, even on repeated demands, bring forward lame objections for which reason Dhonses were sent to you. Dhonses will be withdrawn even now if you are prompt in producing Assamis.

2. You have stated about the Jaisamand Rund. Run is all State land as the tank was built at the cost of the State. You can have no objection to it because the State only has a right in the Run of a lake built by the State. Even the Runs in the Udaisagar and Rajsamand lakes, which were built before the Jaisamand lake, belong to the State. In the circumstances how can your contention be considered as correct. You produced a Parwana alleged to have been given by Maharana Amar Singhji purporting to the grant of Run to you, but that is a fabricated document because the construction of the Jaisamand lake was commenced in Sambat 1744 and completed about the year Sambat 1748 while the Parwana is dated Sambat 1765, 20 years after the lake was completed. If the grant of the Run were necessary the Parwana would have been granted during Maharana Jai Singhji's time, when the construction of the lake was started, and not 20 years later during Maharana Amar Singhji's time after one generation. Besides this, the Parwana states that when the Jaisamand lake was built Rawat Kandalji represented that all his villages will be submerged. But when Jaisamand was bunded Salumbar itself with the Patta was not with Rawat Kandalji; The Patta of Salumbar was confiscated

from Rawat Kandalji's grandfather Raghunath Singhji and was restored to Kandalji's son Kesri Singhji long after Jaisamand was built. In other words, Ratan Singhji was the son of Raghunath Singhji and Kandalji was the son of Ratan Singhji. Salumbar was not restored to Kandalji but to his son Kesri Singhji, four generations after the confiscation. How could then Kandalji have made a representation regarding the submergence of his villages when Salumbar was not with Kandalji at the time of the construction of Jaisamand? When you submitted this Parwana previously with the appeal in the case of the boundary dispute between Sarari and Maeturi it was proved not to be genuine and you were informed accordingly. A copy of the same, enclosure No. 4, is again sent to you. The letter of assurance by Mr. Cobbe now submitted by you is of no value for the reasons detailed in order No. 18299, dated Baisakh Sudi 9 Sambat 1964 a copy of which (enclosure No. 5) is sent herewith.

A forged Tamba Patra and a few fabricated Parwanas were similarly submitted by you during the late Maharana Sarup Singhji's time and they were then rejected as being not genuine. Copies of the Tamba Patra and the Parwanas enclosures Nos. 6, 7, 8, 9 and 10, of the grounds on which those documents were then rejected, enclosure No. 11, and of a memorandum comparing the documents with the history, enclosure No. 12, are enclosed herewith. Now, you have not submitted those Parwanas and the Tamba Patra but have instead produced two other Parwanas, one from Maharana Amar Singhji referred to above, regarding the muafi of the Run and the other from Maharana Kumbhaji containing customs and procedures of the estate. But these are also forged documents, as has been stated in detail in the note regarding the forged documents submitted now and previously, a copy of which, enclosure No. 13 is enclosed herewith which shows that the Parwana regarding the muafi produced by you is a forged one and the Run has not been granted to you by the State. How, then, can your objection be admitted? When in the month of Asoj Sambat 1932 the bursting of the embankment of the Jaisamand lake was feared it was decided, according to the proposal of Colonel Herbert, then Political Agent in Mewar, to carry out repairs to the embankment and to recover the money expended from the lands benefiting from the water of the tank. With a view to apportioning the expenditure Baxshi Riddhi Ram was deputed to survey the whole land. The Baxshi surveyed the khalsa and jagir lands and prepared and submitted a Khasra and Goshwara. You were then asked to pay up your share of the expenditure but you put it off and did not pay your share. You agreed to have your land surveyed according to the proposal of the Political Agent but subsequently, when late Maharana Sajan Singhji was invested with powers, you objected to paying your share. It is proper that your share of the expenditure should be realised from you with interest. You have up to now continued to benefit unlawfully from the water of Jaisamand. You produced the Khasra given to you by the Mehkma khas and stated that when the survey was carried out the land, which was actually the land of your villages and not Run, was under water and would be surveyed when it came out. In the first place the Run has not been granted to you by this State and therefore you have no right to it. Secondly, the Goshwara submitted by Baxshi Riddhi Ram does not state that there is any land under water which will be measured on its coming out. The Goshwara shows only 47 bighas of the land of the village of Sarari under water and makes no mention of the lands of any other villages. The Goshwara was submitted in Sambat 1934 and the survey commenced in Sambat 1932. You could have got the land under water surveyed within the above period of two years if you had wished it. But at that time except for Sarari you had no land under water in your unlawful possession otherwise you would have certainly made a protest when the Khasra was given to you. You did not submit the Khasra in connection with the boundary dispute between Sarari and Maeturi nor subsequent to it. You did not submit the Khasra in the Sarari-Maeturi case for the reason that the land shown in the Khasra was less than what you laid claim to. Even according to the Khasra of the survey carried out by you the land in your possession cannot be as much as what has been awarded to you by the Boundary Settlement Officer in his decision. But as the cases has been decided by the Boundary Settlement Officer and passed the appellate stage the decision will not be altered. You have no title to the Run lands of other villages as stated by you as you have no right to the Run land. The land shown in the following 4 columns of the Goshwara of Sambat 1932 will be granted to you at the pleasure of the Durbar Run-Sirma, (2) Run fallow and culturable, (3) Run under water and (4) Kura Run men as shown in the accompanying list of villages, enclosure No. 14. The land of the villages coming within the contour line of the map which was prepared at the level of the "Elephant's foot" will be granted to you. The reason why your petitions are refused is that even on receiving a reply you persistently bring forward unreasonable objections. How can your petitions be therefore entertained.

Besides this, several of your petitions contain unsuitable words in respect to which orders will be passed later on.

(3) You state that in cases in which one party belongs to your estate and the other to the Khalsa you send Assamis to the Foujdari Court. Having regard to the cases decided by the Hakim of Magra in which both the parties belonged to your estate, as stated in paragraph (1) how can this objection of yours be admitted? A few such cases have been shown as precedents in the statement accompanying this (enclosure No. 15).

You wrote about payment to you of the Nazrana, fines and Rasm Chauthan (one-fourth) recovered from your Assamis. This is irregular. Nazrana, fines and Rasm Chauthan have not been remitted to anybody nor to you. The usual practice is that Nazrana, fines or Rasm Chauthan, is paid into the court imposing it. You produced a communication from the Mehkma Khas dated Mangsar Bid 6 Sambat 1931 to the effect that Rasm Chauthan has never been recovered from your Assamis and will not be recovered in future but this communication was cancelled shortly afterwards. Arjun Singhji, officer in charge of the Mehkma Khas, who had addressed the communication, informed you on Mangsar Sudi 4 Sambat 1931, 12 days after the issue of the first communication, that the previous order passed on the subject was cancelled and that that procedure would not be followed. You were informed of this at the same time and a copy of the same, enclosure No. 16, is again sent herewith. The previous order dated Mangsar Bid 6 was issued during the minority of Maharana Sajjan Singh and is not signed by the Resident and has since been cancelled. When in Sambat 1941, you produced this order you were informed that the order had been cancelled. A copy of the same, enclosure No. 17, is again forwarded herewith. You always produce this cancelled paper and base your objection thereon. How can the paper then be admitted as a proof. Nazrana, fines and Rasm Chauthan recovered from your Assamis have ever been paid into the State Courts. The statement accompanying this, enclosure No. 18, shows a few such cases. You should not fail to pay this in future otherwise the recovery will be made by subjecting your villages to official control. Your Assamis were submitting their appeals on stamped papers. The statement accompanying this enclosure No. 19, shows a few such cases. If at any time some Hakim has, either through ignorance or error, accepted an appeal without stamped paper it is no reason to allow the practice to continue.

(4) As regards compensation for customs. The State only has the power to collect customs duty. You have no authority to collect customs. It may be that during the minority of Maharana Bhim Singhji some Sardars collected customs duties secretly. In Sambat 1874 and subsequent years Sardars were made to enter into an agreement in which they agreed not to collect customs and stated that the right of collecting customs belongs to the Durbar and it may do so. That agreement is signed by the Rawatji of Salumbar. In ignorance of the fact that the Sardars have been made to waive their right to collect customs three Sardars were paid the amount of customs compensation in Sambat 1941. The payment to Deogarh and Bhainsrorgarh has since been discontinued and to you it was discontinued in Sambat 1957. You cannot therefore, now get compensation for customs and you cannot collect customs either in Salumbar or in the villages of its patta, as this right belongs to the State only. Rawat Jodh Singhji submitted a petition dated Chait Sudi 14 Sambat 1941 in which he stated that according to reorganisation of customs, Adkari was remitted to the traders of Sawa in Salumbar and that, as he used to collect Adkari from Sawa, his income suffered in consequence and that no orders were passed regarding his representation in the matter. This means that before customs was reorganised you collected Adkari from Sawa secretly and that you stopped collecting the duty after the reorganisation. You did not collect Adkari during the time of Maharana Sajjan Singhji. When subsequently you made representation in the matter you were allowed compensation through ignorance of full particulars of the case. If you were entitled to any compensation you would have commenced to receive it during Maharana Sajjan Singhji's time. You continued to receive compensation since Sambat 1941 and promised to keep the affairs under control but you have committed several irregularities in respect to which orders will be issued later on. A statement showing the irregularities, enclosure No. 20, is enclosed herewith. Copies of Rawat Jodh Singhji's promise and the orders issued enclosures No. 21, 22 and 23, are also forwarded. In respect to your collecting customs in Sawa contrary to your promise orders will be issued in due course. In future you shall not collect customs in Salumbar or the villages of the patta.

As regards salt compensation—this has not been withheld. Any balance remaining over after deducting money due from you and your Assamis on account of Nazrana, fines and Rasm Chauthan, etc., will be paid to you. Besides any other dues of the State that may be outstanding

against you will be deducted from this sum. Any other dues that are not met by salt compensation will be recovered by bringing your villages under the State management.

(5) You state that the "Rakhwali" tax in respect to the Sasnik village granted by the State in charity to the people is the right of the grantee. Rakhwali means some remuneration in cash or kind, for keeping a guard with a view to ensure protection from theft or dakaiti i.e., grain or cash received for keeping guard is called "Rakhwali." This cannot give you any title to the ownership of the villages. You collect Rakhwali from 2 or 3 villages only. If you have imposed any new Rakhwali in recent times it cannot be held valid. Even in the "Qaulnama" (agreement) itself you have waived your claim to "Rakhwali" and therefore you cannot collect it. After making enquiries as to which villages are liable to pay Rakhwali to you orders will be issued subsequently. You cannot interfere in any way in a village from which you collect Rakhwali. On a representation by Seriwala orders have already been issued to you but you do not desist from interfering. Orders will be issued separately in this matter.

(6) You state that the Hakim summons direct the Assamis of the village of Para. This pal is not in reality included in your patta. How can the Assamis be therefore summoned through you. You have taken unlawful possession of several villages in the Run and other villages of Khalsa adjoining the villages of your patta in respect to which orders will be issued separately after enquiries. This has been stated in detail in order No. 18299, dated Baisakh Sudi 9 Sambat 1964.

(7) You have stated about some Jaigirdars that the Tahsildar of Methuri encourages rebellious Jagirdars. Previously you were asked to state what complaints you have to make and in respect of what Jagirdars, but you have not submitted a list and now put forward excuses. Several more references remain unanswered by you in respect to which orders will be issued separately. It is necessary that any complaints, of excesses that Jaigirdars and others make against you to the State, be heard. It is impossible that people be led away by instigations. Besides Jagirdars and others complain of your excesses. You should now submit a statement to show what complaints you have to make against Jagirdars so that orders may be issued after enquiries.

(8) You have stated about the tank of the village of Deoli. As the case is one of the boundary dispute, it is pending in the office of the Boundary Settlement Officer. If you have any objections to make it should be addressed to him. Other boundary disputes also relating to your villages are pending in the office of the Boundary Settlement Officer who will make enquiries and decide them. Should there be any more boundary disputes it should be stated so that they may be given to the Boundary Settlement Officer for settlement. A statement of boundary disputes enclosure No. 24 is enclosed herewith which will show that this case has been pending since the time of Rawat Jodh Singhji and is not a new one.

(9) A statement, enclosure No. 25, showing the cases in which Dhonses have been sent is sent herewith. You are asked to comply with orders twice and three times but you do not comply with them and bring forward unreasonable excuses. How can this state of things be allowed to continue. You are pressed to comply but still fail. Suitable orders will now be issued in this matter.

(10) You mention about the irrigation of the lands of your villages from Ota of Jaisamand. The Jaisamand lake was built at the cost of the State and you have no claim to its water. In future, if you wish to take water from the side of Ota you will be allowed to do so on payment of water tax or not allowed at all at our will. As regards the irrigation of lands adjoining the Run by means of Doria, etc., you will be allowed to take water on payment of water tax or not allowed to do so according as we desire. The Ota will be built Pakka.

(11) Prisoners serve their term of imprisonment in the State. How can persons convicted by the State Courts be allowed to serve their term of imprisonment in the estate. Imprisonment is undergone in the State jail. During the trial of a case, if it is bailable Assamis produced by you are handed over to you on your undertaking to produce them on demand. How can Assamis be handed over to you in unbailable cases. In a bailable case if an Assami is handed over to you it is the practice to have the final decision in the case carried out through the State Court.

(12) Several complaints have been received regarding your excesses as well as regarding your failure to comply with orders. A separate statement has been prepared of this which will be sent to you hereafter. Suitable orders will also be issued in the matter.

(13) The Rawatji fails to comply with orders and exercises excesses on people in spite of his promise to the contrary. Suitable orders in this respect will be issued subsequently. A

further reason for this appears to be that the Rawatji has entertained such persons as were turned out from elsewhere. There exists a petition dated Mah Sudi 5 Sambat 1957 submitted by the present Rawatji in which he has promised that he would willingly and promptly carry out any orders that may be given to him by the master. Another petition dated Chait Bid 7, Sambat 1957 contains the following 8 clauses :—

- (1) In the case of there being no issue I will adopt the rightful person after intimating to the Durbar, (2) I will pay up the State dues, (3) I will produce offenders in courts, (4) not associate with others, (5) to increase allowances to the wives of Tej Singhji and Man Singhji in accordance with the orders and not to give them any trouble, (6) to bear no enmity against any body in the estate, (7) to show the account of receipts and expenditure and to have the estate managed accordingly and (8) not to incur debt by expending extravagantly and, if any debt be incurred, to have the management made by the State. I take oath in the name of God not to deviate from these pledges. The Rawatji has of late been acting against many of the above pledges in respect to which orders will be issued separately. In clause (5) the Rawatji has promised to increase the allowances to the wives of Tej Singhji and Man Singhji and to give them no trouble. He has further executed a document to that effect but is, in spite of that, acting contrary to it and giving trouble to the Assamis of their villages. As the Rawatji has clearly stated in his petition that he would not give trouble to the wives of Tej Singhji and Man Singhji you should pay their allowances in cash in place of the grant made to them previously and that made to them by the present Rawatji as their complaints will not be removed without cash payment. There is no harm to you in making cash payment which the women agree to accept. If they again make a complaint the villages of their allowances will be taken under the State management as agreed to by the Rawatji and the income of the villages will be paid to them in cash. There is a third petition from the Rawatji dated Chait Sudi 13 Sambat 1957 in which orders were passed with Mamaji. In reply to this the Rawatji gave the previous history of Nauli Bamhora, etc., stated that he would obey orders and swore by Eklingji not to break his word. He has taken other oaths as well. In spite of such petitions and pledges orders are disobeyed and unreasonable objections put forward. This is not right.

Translation of an order issued by the Mehkma khas, Mewar, to the Boundary Settlement Officer, Mewar, dated 9th May 1908, No. 18299, dated Baisakh Sudi 9th, Sambat 1964.

The Boundary Settlement Officer may be informed that the claim of the Jagirdar of Salumbar, etc., to the ownership of the Rund of Jaisamand is false ; because when the Jaisamand lake was constructed, Salumbar with the villages of the patta was Khalsa, and it was long after that the patta of Salumbar was granted to Rawat Kesri Singhji.

In support of its claim to the Run Salumbar has submitted to the Resident with his Kharita a copy of a Parwana from Maharana Amar Singhji. But the Parwana is a forged document. This very parwana was submitted by Salumbar before this in Sambat 1956 with its appeal in the boundary dispute case of Maeturi, Khalsa, *versus* Sarari, patta Salumbar. Reasons were adduced at that time to show that the parwana was a forgery and the appeal of Salumbar was rejected. A copy of it was forwarded to the Boundary Settlement Officer and another copy of it is enclosed. History has since been consulted and the following particulars have been elucidated which clearly show that the Parwana is a forgery. The Parwana states that :—

“ When the late Maharana was going to construct the Jaisagar lake, Rawat Kandalji begged him saying ‘ Your Highness is constructing the embankment but Salumbar Magra and its villages have been acquired by my ancestors by sacrificing their lives. When Your Highness installed me at Salumbar Your Highness granted me a Patta of Assurance dated Sambat 1739. Your Highness is going to break faith, which is not proper. All the villages of my patta will be submerged ’ on this Shri Dajiraj ordered I am pleased to grant to you the Rund of this tank in lieu of the villages of your patta.”

This was written to show that Maharana Amar Singhji granted a Parwana of the muafi of the Rund to Rawat Kesri Singhji in which the following was recorded. “ When the late Maharana Jai Singhji was going to construct the Jaisamand lake Rawat Kandalji represented

to His Highness that the lake is being constructed but all his villages will be submerged. On this Maharana Jai Singhji ordered that he was pleased to grant him the Rund of the lake in lieu of his villages that will be submerged."

The Parwana is, however, wholly a forgery as the patta of Salumbar was confiscated from Rawat Kandalji's grandfather Rughnath Singhji and, when Jaisamand was constructed, Salumbar with the villages of the patta was khalsa. In the circumstances how can it be believed that Rawat Kandalji's representation about submergence of the villages of the patta of Salumbar is correct, as Rawat Kandalji had no connection with Salumbar at that time. It was a long time after the construction of the Jaisamand lake that the patta of Salumbar was granted to Kandalji's son Kesri Singhji after Kandalji's death. The patta of Salumbar was confiscated from Rawat Rughnath Singhji and was not restored either to his son Rawat Ratan Singhji or his grandson Rawat Kandalji. The patta was re-granted to Rawat Kandalji's son Kesri Singhji. How could Maharana Amar Singhji have stated in his Parwana that Rawat Kandalji made a representation to Maharana Jai Singhji about the submergence of the villages of the Salumbar patta when Rawat Kandalji had no connection with Salumbar. For these reasons this Parwana is clearly a forgery.

Salumbar has submitted a further Parwana from Captain Cobbe. In the first place, a mere perusal of it will show that it was written without any enquiry. No reference was made at that time to the records of the State. It was written according to the representation of Salumbar. It appears that Captain Cobbe was deceived by some forged document produced before him by Salumbar in the same way as it has now submitted a forged Parwana of Maharana Amar Singhji for the muafi of the Rund, and was thus induced to write the Parwana in question. Some forged papers were produced before this during the late Maharana Sarup Singhji's time, of which particulars are given below and it is possible that some forged documents was produced similarly before Captain Cobbe.

During Maharana Sarup Singhji's time Salumbar produced a Tamba Patra and a few Parwanas as detailed below :—

Tamba Patra from Maharana Lakhaji to Rawat Chundaji dated Sawan Sudi 9, Sambat 1427.

Parwana from Maharana Mokajji to Rawat Chundaji dated Pos Sudi 9, Sambat 1443.

Parwana from Maharana Mokajji to Rawat Chundaji dated Phagan Sudi 13, Sambat 1444.

Parwana from Maharana Mokajji to Rawat Chundaji dated Asoj Sudi 13, Sambat 1447.

Parwana from Maharana Bikrimadityaji to Rawat Khengarji dated Chait Budi 7, Sambat 1572.

The Parwana of Sambat 1443 was produced to prove the genuineness of the Tamba Patra and the Parwana of Sambat 1444 the genuineness of the Parwana of Sambat 1443. The Parwanas of Sambat 1447 and 1572 were similarly produced in support of each other. The Tamba Patra and the Parwana have been prepared in a manner that they will support each other, but the Tamba Patra and the Parwanas were proved to be forgeries when they were produced which fact is clearly stated in the refutation recorded at that time. The Tamba Patra and the Parwanas are not only forgeries but they contain such discrepancies in respect of the Maharana's names and their date that a mere perusal of them will convince one of their being fictitious. The forgery and craftiness of Salumbar was discovered at that time and they did not succeed in carrying out their plan and, therefore they did not produce those forged documents now and have submitted two others which are also forged. The Parwana of the muafi of the Rund from Maharana Amar Singhji, which has been shown above to be a forged document, and a second Parwana dated Mah Sudi 5th Sambat 1483 from Maharana Kumbhaji to Rawat Kandalji submitted subsequently by Salumbar to the Resident. The latter is also purely a forgery because it purports to be from Maharana Kumbhaji and is dated Sambat 1483. As a matter of fact however Maharana Mokajji reigned in Sambat 1483 and it was in Sambat 1490 that Maharana Kumbhaji succeeded to the *gaddi*, and the document is therefore also a forgery.

How can Salumbar's claim to the Rund be considered valid when it is based on such fictitious documents. Further the rights in a lake always belong to the State, *viz.*, the alluvial of a lake belongs to the State. The Udaisagar and Raisamand lakes were constructed before the Jaisamand lake and the State possess similar right in these lakes. How can Salumbar and others prefer a claim to the Jaisamand Rund contrary to the old standing practice.

The following villages were submerged by the Jaisamand lake when it was constructed.

Chibora, Namla, Bhatwara, Gamri, Semal, Patan, Kotra, Ghati, Singawali and Salao. This is apparent from History. The Rawat of Salumbar has encroached upon Khalsa villages and included them in his patta, viz., the villages not included in the patta are in possession of Salumbar, as is evident from old records.

During Maharana Bhim Singhji's time in Sambat 1878 the Sardars of Mewar were got to record in a Bahi the names of the villages of their respective pattas with the amount of income of each village. At that time Salumbar was also like other Sardars, made to enter the names and incomes of the villages of its patta. The Salumbar Motamid remarked in signing the entries in the Bahi that if there be any discrepancy he will be held guilty. The Bahi shows that Salumbar noted the following six villages only of the Rund at that time :—

	Rekh.	Income derived (Upat).	Present income. (Hal Upat).
Namlo	700	700	150
Singavli	500	600	250
Sarari	1,000	1,000	600
Ginglo	1,500	3,000	1,500
Patan	1,200	800	300
Chibora	1,000	500	100

The following villages are at present in the possession of Salumbar in addition to those of its patta.

Bhimapura, Daulpura, Namla, Tulchhaka, Roba, Paeri, and Chibora II. There are other villages also in the possession of Salumbar outside the Rund. This will be dealt with separately. Value of the villages can be judged from their incomes noted above. The present value of these villages can be seen by visiting them.

Korabar also has, likewise, made unlawful encroachment on certain villages of the Run in addition to the villages of the patta. The list of the villages of its patta as recorded by Korabar in Sambat 1907 contains the following villages of the Rund :—

	Rs.
Semal mortgaged by the Rao of Bedla Khalsa	1,000
Thori mortgaged by the Rao of Bedla Khalsa	500
Jara new and old	1,260

The above villages only of the Rund are recorded in the patta. In addition to the above, the following villages of the Rund are at present in the possession of Korabar :—

Thori II, Pavri and Rathoran-ki-Bhagal.

Salumbar, Korabar and Bhadesar were granted jagirs after the construction of the Jaisamand lake and these Jagirdars did not at that time possess these villages.

An old paper has recently been traced about the collection of water tax collected from the land which was irrigated from the Jaisamand lake during late Maharana Sarup Singhji's time. It states "the lake was constructed by the Durbar out of the State money and repairs to it have also to be carried out. The main source of profit to the State is the Rund and the water tax." Irrigation was stopped at that time on failure to pay water tax.

It is quite clear from the above that the claim of Salumbar and other Jagirdars to the ownership of the Rund of Jaisamand cannot be admitted.

We therefore beg to say that these Jagirdars have no right in the Rund and should not be permitted to have any connection with it. It may be noted that if anybody desire to irrigate land lying outside the Rund from the Jaisamand lake it will rest with the Durbar to allow irrigation on payment of water tax or to refuse the application. In the same way, if a person desire to use water for irrigation from the canal permission may be granted on payment of water tax or the request may be disallowed.

NOTE.—(The above order is not included in the printed papers of 1908.)

Translation of an order dated Asadh Budi 14th Sambat 1964 issued by the Mehkma Khas, Mewar (27th June 1908).

The whole of the Jaisamand Rund is Khalsa. The right to the land belongs only to Khalsa and to no one else. But the Run has not yet been demarcated and marked with pillars. On this account an order may be issued to the Hakim of the Magra to the effect that the State share of the produce of the land cultivated by the Asamis of Salumbar and Korabar may be kept with a third party. Salumbar and Korabar may be informed accordingly and they asked to place the Bhog of this land in conjunction with the Hakim of the Magra with a third party. Orders regarding it will be issued subsequently.

NOTE.—(The above order is not included in the printed papers of 1903.)

Translation of order No. 993, dated 11th May 1905.

Salumbar filed an appeal setting forth certain grounds in respect to the case of boundary dispute between Methuri (Khalsa) and Sarari (Patta Salumbar) which was decided by Captain Pinney formerly Boundary Settlement Officer of Mewar. But from the perusal of the papers connected with the case none of the grounds set forth by Salumbar appear to be admissible.

The first ground of Salumbar is that the Boundary Settlement Officer visited the disputed border during the absence of the Salumbar Motamid. But this is not correct, as the Boundary Settlement Officer had already issued a notice to Salumbar on 26th August 1899 regarding the presence of a Motamid. Notwithstanding this, no Motamid from Salumbar appeared on the spot on the 8th September when the boundary Settlement Officer visited the border. This is the fault of the Salumbar Motamid.

Grounds Nos. 2 and 3 relate to the evidence of witnesses not being heard. These grounds are also not correct. The chief point of contention is that the evidence of the witnesses of the village of Lodakherka Dhola Khera was not taken. In the first place the list of witnesses produced by Salumbar makes no mention of these villages. Besides this, there is on record in the file of the Boundary Settlement Office a communication from the Salumbar Motamid from which it appears that the evidence of all witnesses produced by Salumbar has been taken. But owing to discrepancies and the statements being fabricated and for other reasons which were clearly dealt with in the decision of the Boundary Settlement Officer the evidence proved to be unreliable.

Ground No. 4 is to the effect that when the Salumbar Motamid refused to have the settled boundary demarcated the proceedings should have been suspended under rule 22 and the statements recorded but this was not done. This ground also is irrelevant because the Boundary Settlement Officer is not bound to suspend proceedings on the spot during demarcation on a party bringing forward an objection or on their refusal, nor does rule 22 signify this nor are these rules in force here. The hearing of appeal has been provided to allow either party to appeal against the decision of the Boundary Settlement Officer but there should be no interruption during the demarcation.

Grounds Nos. 5 and 6 relate to the papers produced by Salumbar being considered unconnected with the case. The decision of the Boundary Settlement Officer does not state that all the papers produced by Salumbar are unconnected. The decision states that owing to the freshness of the ink and other reasons the paper No. 1 claimed by Salumbar as having been written 40 years back was considered unreliable and unworthy of being admitted as proof. Paper No. 3 was produced by Salumbar in support of a portion of disputed land having been mortgaged but when the persons connected, viz., Jawan Singh and Kana Mahajan, were asked to point out the mortgaged land on the spot they differed and each of them pointed out separate portions of land for which reason this evidence and the said paper were considered fabricated. Besides this, paper No. 2 and other books, etc., do not appear to have been produced as is stated in the ground.

Ground No. 7 states that the distance between Pipli Magri pointed out by Methuri and the one (Magri) pointed out by Salumbar is stated to be 40 gatthas in the decision of the Boundary Settlement Officer but that the actual distance upto the *Nim* tree above Pipli Magri is 80 gatthas. This statement is incorrect, as there is no mention of the *Nim* tree in the decision of the Boundary Settlement Officer. In reality, according to the mutual settlement of Sambat 1923, the distance recorded in the decision between Pipli Magri pointed out by Salumbar and the other Magri, is 40 gatthas. This is, and not 80 gatthas, the correct distance.

Ground No. 8 is to the effect that the southern Tirpatta (trijunction pillar) between Methuri, Sarari and Kotra mentioned in the decision of Sambat 1923 is unacceptable as the persons

deciding the case were ignorant of the direction and were not provided with any survey instruments. This objection is also not correct as most of the people are acquainted with the four cardinal points. Besides this the correctness of the directions recorded in the decision of Sambat 1923 is proved from the fact that the 12 pillars including the northern trijunction pillar were found on the spot exactly in the same position described in the decision of Sambat 1923 and were acknowledged without dispute to be in correct directions by the Sarari people themselves. How can it then be supposed that the succeeding pillars Nos. 13, 14 and the southern trijunction pillar, whose directions are stated in clear words in the decision of Sambat 1923 were wrongly placed especially when the Kotra people also certify that the position of the southern trijunction pillar which has been correctly placed in the south on the pipli Magri has been correctly described in the decision of Sambat 1923. It is possible that there may be some slight difference in the direction of a certain point without accurate survey, but a difference to the extent represented by Salumbar is impossible.

Ground No. 9 that the pillars Nos. 13 and 14 were removed by the people of Maeturi but their actual position was pointed out to the Boundary Settlement Officer but that officer, out of favour to Methuri, did not record the fact in his decision and, to acquit himself wrote " difference in the statements " in the decision. This is not the case. When the Boundary Settlement Officer had finished his inspection of the disputed boundary as pointed out by the parties he clearly stated in that part of his decision relating to the demarcation of the rest of the boundary that what now remains to be done is to replace the two pillars alleged to have been removed and to fix the trijunction pillar at the border of the village of Kotra and that there is no unanimity with regard to their exact positions. This clearly means that the positions of pillars Nos. 13 and 14 were pointed out to the Boundary Settlement Officer both by Salumbar and Maeturi ; that the Boundary Settlement Officer inspected the places but that he could not determine their exact positions owing to different places being shown by the parties. This gave rise to a dispute and the Boundary Settlement Officer had to record in his decision the word " difference in the statements." How can it then be true that the Boundary Settlement Officer made no mention in his decision about the positions of pillars Nos. 13 and 14 pointed out by Salumbar.

Ground No. 11 relates to the Sureh stone at the Bhairon Singhji-ki-Baori being wrongly entered as trijunction pillar in the map. This ground also seems to be absurd, because the southern trijunction pillar, which, according to the decision of Sambat 1923 was fixed on Pipli Magri pointed out by Maeturi, has been correctly shown in the map on the Pipli Magri and marked No. 18. But it appears that the Sureh stone referred to above was treated as a permanent point and shown in the map to ensure the correctness of the settled line.

Ground No. 12 relates to no opportunity being given for arriving at a mutual settlement but this ground also is incorrect because it is stated in the decision of the Boundary Settlement Officer that the notice which was issued by him to Salumbar on 26th August 1899 contains that an attempt should be made to arrive at a mutual settlement but no such attempt was made by Salumbar until the Boundary Settlement Officer reached the spot on the 8th September 1899. In spite of this the Boundary Settlement Officer allowed two days more and, as appears from the following remarks made by him in the decision, commenced his enquiries on the 10th September— " Attempts at mutual settlement having failed I commenced recording evidence of the witnesses produced by Salumbar." How can it then be true that Salumbar was given no opportunity to arrive at a mutual settlement ?

Ground No 10 states that no consideration was paid to the copy of the Parwana of Sambat 1765 granted by Maharana Amar Singhji regarding Run. This is not also a correct ground, because, in the first instance, there is no mention in the decision of the Parwana having been produced when this very boundary between Maeturi and Sarari was settled previously in Sambat 1923 before Amin Jwala Prasad. Secondly if the Parwana of the muafi of the whole Run was genuine, as claimed by Salumbar, how would Salumbar itself have allowed the Maeturi boundary being fixed in the Run. Another reason for holding the Parwana as unreliable is as follows :—The construction of Jaisamand began in Sambat 1744 during Maharana Jai Singhji's time and was completed after about 5 years in Sambat 1748. After this, Maharana Jai Singhji was in good health till Sambat 1755. This makes 11 years. Maharana Amar Singhji succeeded to the *gadi* in Sambat 1755 and it is alleged by Salumbar that the Parwana was granted to them 10 years after the accession in Sambat 1765, or 20 years after the construction of the lake had commenced. If it were necessary to grant a Parwana of the muafi of the Run it would have been granted when the construction of the tank was taken in hand during Maharana Jai Singhji's time. Under the circumstances, why should have Salumbar quietly suffered loss for 20 years. Further all the villages included in

the Run do not belong to Salumbar alone but also to Khalsa, Korabar, Bhadesar and the Patta Siyar. In these circumstances how can it be correct to say that a Parwana for the whole Jaisamand Rund was granted to Salumbar alone, especially when all rights, etc., in the whole of the Run of the Raj Samand lake, which was constructed one generation before the Jaisamand lake, belong to Khalsa upto the present. The rights of Run, etc., of the Udaisagar lake similarly belong to Khalsa. Having regard to this treatment the grant of the muafi for the whole Run of Jaisamand (when all the villages in the Run do not belong to Salumbar alone) to Salumbar is inconceivable. A further reason of the untrustworthiness of this Parwana is that it states that "A Dhons from Khalsa will not be sent to Salumbar," which was never acted upon. On the contrary, Salumbar is always punished with a Dhons, etc., from Khalsa, when necessary. This Parwana, which is claimed by Salumbar to be of the muafi of the Run, contains other statements irrelevant to the Run such as the visit (of the Maharana) to Salumbar and bringing the Rawat for Talwarbandhi, etc. It is not necessary to include irrelevant matters in this way in a sanad granted. Besides this, the Parwana contains several words used by Salumbar in speaking and addressing communications such as "Salumbar padarya so lare lawin Udaipur talwar bandai" (visited Salumbar and bringing with him to Udaipur performed Talwarbandi ceremony). The phrase "lare laving" was not used in Udaipur and is current in the country in the vicinity of Salumbar. These words differ from those used in the pattas and parwanas issued by the State. Besides this, this statement is contrary to the practice followed by the State in old times, as it is not the practice that His Highness the Maharana should visit Salumbar for Matampursi. How can the parwana be therefore considered genuine. The appeal is therefore dismissed and the decision of the Boundary Settlement Officer confirmed. Copy of this order may be sent with a rukka to the Boundary Settlement Officer for compliance and a copy furnished to the Hakim of Magra and the Foujdar Kamdar of Salumbar.

Dated Baisakh Sudi 7th, Sambat 1961 (11th May 1905).

13

No. 65-P., dated Mount Abu, the 9th May 1911.

From—The Hon'ble Mr. E. G. COLVIN, C.S.I., I.C.S., Agent to the Governor-General, Rajputana,

To—The Secretary to the Government of India, Foreign Department, Simla.

I have the honour to forward, for the orders of the Government of India, a memorial entitled "Part I, regarding the Jaisamand Rund" received from the Rawat of Salumbar in Mewar. I regret that I should have to trouble the Government of India with this matter, but I feel that the circumstances are of such a nature that the Government of India should at least be made fully acquainted with the situation.

2. It is unnecessary to expatiate on the ancient relations which subsisted between the house of the Maharana and that of the Salumbar Chieftain. The Government of India will remember that the latter is descended from Chonda* the son of Lakha who towards the end of the fourteenth century A. D., resigned his undisputed right to the *gadi* of Mewar in

* *Vide* page 277 Tod's Annals of Rajasthan 1829 Edition.

favour of his brother Mokulji and received in return the hereditary position of Chief Councillor to the State and various other privileges. The close ties which formerly bound the two houses have unhappily become entirely dissolved in later generations; and there is at the present time no Thakur in Mewar whose relations with the Maharana are more strained and embittered. The hereditary claim to the Chief Councillorship has of course long ago disappeared.

3. The memorial now forwarded is a rambling document; and it will save trouble to the Government of India if the circumstances which have led to this petition are summarised as briefly as possible. "Jaisamand" is the name of an enormous lake constructed between 1685 and 1691 A. D. by Maharana Jai Singh. *Vide* Gazetteer of Udaipur, page 8. It is also known as "the Dhebar Lake." "Run" is the Local word for the land which emerges on the margin of

the lake, as the water recedes. It is of course very fertile and valuable land. The lake is bordered by a number of villages both Khalsa and Jagir, the Jagirdars concerned being Salumbar, Korabar, Badesar and Siar.* Up to 1908, the

*Khalsa	6 villages.
Salumbar	12 "
Korabar	8 "
Badesar	2 "
Siar	1 village.

Run lands below each village bordering on the Jaisamand had been regarded as belonging to that village, whether it were a Khalsa or a Jagir village. In 1907, Mr. Hill, then Resident in Mewar

had effected a settlement of a dispute between the Maharana and the Rawat on the subject of the visit of condolence (Matampursi) to be paid by the Durbar on the death of the late Rawat, and in the course of that settlement, the present dispute as to the Run lands had come into prominence. The Rawat of Salumbar, it appeared, claimed the entire Run of the Jaisamand Lake as being included in the Salumbar patta. Korabar and Badesar being, as he alleged, jagirs which had branched off from the parent jagir of Salumbar, since the original patta was granted. Mr. Hill examined this claim, and came to the conclusion that it was untenable and based mainly on a forged document—a Parwana of Maharana Amar Singh, dated Sambat 1765. I attach a

†Serial No. 1.

copy of a note‡ on this point which Mr. Hill wrote and enclosed with the letter

No. 465, dated 23rd December 1907, to my First Assistant, and I have added thereto an extract from his notes on the Matampursi question regarding Maharana Amar Singh's parwana, in order to explain the marginal remark at paragraph 1 of enclosure Z. It does not appear to be necessary to trouble the Government of India with all the evidence on this subject. I have examined Mr. Hill's arguments and I believe it to be correct that the alleged parwana from Maharana Amar Singh is a forgery and that the Salumbar claim to the entire Run lands of the Jaisamand lake rests on very flimsy proofs and is in fact wholly untenable.

It will be seen from paragraph 5 of enclosure Z that Mr. Hill was of opinion in 1907 that the dispute about the Run was capable of a complete and final settlement provided Salumbar would abandon his claim to the whole Run, and provided the Durbar would abandon its claim to oust Salumbar from villages admittedly of the patta.

The Durbar in fact had replied to Salumbar's claim by a counter-claim to the effect that the whole of the Run was Khalsa; and it would in my opinion have been wise on their part to abandon this position, as suggested by Mr. Hill. Up to the beginning of 1908, I was in entire accord with the views taken and measures adopted by Mr. Hill in this case. But unfortunately Mr. Hill was at a later date persuaded of the justice of the counter-claim advanced by the Durbar—and in

‡ Copy enclosed.

May 1908, the Maharana after consulting him issued an order‡ through the Mehkma-

khas Mewar to the Boundary Settlement Officer, declaring that the claim of Salumbar and other Jagirdars to the Run could not be admitted and that these Jagirdars should not in future be allowed to have any connection therewith. This

was shortly afterwards followed by a further order§ declaring the whole of the Run to be Khalsa. These orders were

§ Enclosure X.
Mehkmakhas order of Asadh Budi 14th Sambat 1964 (corresponding with 27th June 1908).

issued without previous reference to the Agent to the Governor-General.

Mr. Hill had so far changed his views since 1907 that he was prepared to support the Mewar Durbar in a strict enforcement of this order; but he informed me that it was the intention of His Highness the Maharana when he had once asserted his rights by the issue of the above orders.

(a) to exclude a certain portion assigned to Salumbar by the Maeturi-Sarari boundary settlement, and

(b) to permit, as an act of clemency, the Jagirdars to retain certain areas, which in Sambat 1932, they reported as belonging to them. Mr. Hill was of opinion that the contemplated settlement was in all the circumstances the best and fairest that could possibly be devised. I attach a copy of the note|| on

|| Enclosure W.
Dated 9th May 1908.

this subject, which he put on record before leaving the Mewar Residency. A copy of this note was sent to me by Mr. Holme (Mr. Hill's successor) in October 1908, and at the end of the same month, I visited Udaipur and discussed the case with His Highness the Maharana. Mr. Holme had advised that Mr. Hill's recommendations should be accepted *in toto* and that the Rawat should be informed that the Political Officers admitted the Maharana's right to declare the whole of the Run to be khalsa, and would under no circumstances exercise any intervention in the matter. I was however unable to adopt the view that the orders were just and politic or the best that could be devised, unless the modifying orders restored to the jagirdars a very considerable portion of what they had possessed before. In discussing the case with His Highness the Maharana, I directed attention to this point, and enquired whether he could explain what the effect of those orders would be. His Highness said that he would have a survey made and that he believed the results would satisfy me. At the close of 1908, Mr. Hill revisited Udaipur privately and by his influence it was arranged that the Durbar should hand over to the Resident, Mr. Holme, authority to settle on the spot the demarcation and settlement of Salumbar's claims as formulated in Sambat 1932-34. As a preliminary, Mr. Holme was to inform the Maharana, when accepting the commission that, if Salumbar produced any documents which seemed to Mr. Holme worthy of consideration, as affecting the justice of the proceedings, he would suspend operations pending reference to the Durbar. This arrangement received the full approval of Lieutenant-Colonel Pinhey, who was then officiating as Agent to the Governor-General. In January 1909 Mr. Holme proceeded accordingly to Salumbar, and made an inspection of all Run land round the Jaisamand lake, but no demarcation could be carried out, because Salumbar and the other jagirdars concerned refused to send representatives or to take part in the proceedings, so long as those proceedings were based on the assumption that the area of land below the high water level which the jagirdars would get would be confined to that described in (a) and (b) of paragraph 3 above. On my return from furlough therefore at the end of 1909, I found that no survey had been made and that the modifying orders had been issued in August of that year, exactly on the lines proposed. I gathered that the effect of the orders would be to deprive the jagirdars of the whole of the Run, except about 234 bighas shewn by them in Sambat 1932 as being in their possession and the small area (834 bighas) covered by the Maeturi-Sarari decision. The Maharana seemed to be of opinion that, since this area of 234 bighas was all that the jagirdars could show as being in their possession in Sambat 1932, it was not open to them to claim more now. They showed so he believed an unduly low area at that time, in order to avoid being mulcted in expenses towards repair of the bund; and they should be bound by their own statements now. But the area of the Run of course varies from year to year. Sambat 1932 was a year of very heavy rainfall; the lake was consequently full and threatened to burst its dam; and it is quite possible that the area which had emerged at the time of the survey was not more than 234 bighas. The conditions prevailing in a year when the lake was full would scarcely afford a fair criterion of what the jagirdars cultivated in ordinary years; and the restoration to the jagirdars of so small an area as 1,064 bighas seemed to me to effect a very insignificant modification of the original order of confiscation. In January 1910, I informed the Maharana that I was unable to agree with Mr. Hill's view that the orders were the fairest possible, and he again undertook to furnish me with reasons for regarding the decision as fair and equitable. Up to the present time however His Highness has not furnished me with any further proof or statements. Meanwhile in January 1910, the present memorial was received by me from the Rawat of Salumbar and was sent by me, with four others relating to other grievances, to the Resident with a request that he would favour me with his remarks and opinions thereon. Mr. Holme's report was received early in December last, but as it is very long and enters with much detail into all the minutiae of the case, it is unnecessary to forward it *in extenso* to the Government of India. I attach however a copy of his summarised opinion regarding

Enclosure T.

the case of the Jaisamand Rund, from which it will be seen that he considers that the orders of the Maharana in this matter should be upheld at all costs.

4. I will now explain as briefly as possible my own views in this matter.

In the first place, it is necessary to observe that the Durbar justify their order on the merits, and not on the ground that it is a punishment meted out to Salumbar. Mr. Holme has said that the Rawat, having put forward a false claim to the entire Run, and having supported it by forged documents, is entitled to no consideration whatever and does not deserve our assistance. This argument does not touch, however, the cases of the jagirdars of Korabar Badesar and Syar. If the order were by way of punishment, it should affect only Salumbar; not the other three jagirdars, who have put forward no false claim or forged documents. But the order applies to all the lands in the Run, in whatever village, and the Durbar do not attempt to justify it otherwise than on the merits. Salumbar states that the Run lands were awarded to Salumbar when the Jaisamand dam was constructed, by way of compensation for the numerous Salumbar villages which were submerged in the lake. The Durbar allege that this is untrue, because when the dam was built, it was the Parsoli family of Chohan Rajputs and not the Chondawats who owned the Salumbar jagir. In cases of this kind, it has been found in the past that the Durbar statements are generally correct and I have no doubt that their allegation of this point is historically accurate. But the Salumbar family were in possession of the patta again in A. D. 1692, *i.e.*, the year after the construction of the dam was completed and it is quite certain that they held it for a very long time prior to 1670 A. D. before the lake was constructed. The possession by the Parsoli family was merely an interlude (1668 or 1670 A. D. to 1692 A. D.) which was terminated by the tragic incident of Kandalji of Salumbar and Kesri Singh of Parsoli killing each other in single combat. But the land submerged undoubtedly belonged in large measure to the Salumbar patta originally and the allegation about the owner of the Salumbar Jagir having received lands on the margin of the lake by way of compensation does not on the face of it seem at all improbable. The Durbar argue that it is the custom in Mewar that in lakes and tanks which have been built at the expense of the Durbar, the Run or land all round the lake or tank up to high-water mark belongs to the Durbar, whether it lies below a khalsa or a jair village. But the only instances which they quote are those of the Rajsamand and Udai Sagar lakes. These two cases do not seem to prove the point effectively, since in the case of the Udai Sagar there were no jagir lands involved and in the case of the Rajsamand lake, only one jagirdar was concerned, *viz.*, Asin, and he, whether rightly or wrongly has exercised proprietary rights over the land in the Rajsamand Run below his jagir estate, although the Asin jagir is a comparatively recent creation dating from about 1818 A. D. The question of ousting the Asin jagirdar from these Run lands is now being taken up by the Durbar. The alleged custom does not therefore appear to be supported by any considerable mass of evidence.

On the other hand, the Durbar do not deny that Salumbar and the other jagirdars owning villages on the Jaisamand lake have exercised proprietary rights over the Run lands below their villages for a period exceeding 200 years; and they admit that up to A. D. 1907 or 1908 no claim to these Run lands had ever been made by the Durbar. It will be seen from Enclosure Y that they charge these Jagirdars with having encroached on khalsa lands, and having thus acquired villages which were not in their original "pattas." But this is a separate question. The point is whether they were justified in resuming Run land in villages which were admittedly included in the Jagirdars pattas; and in this matter prescriptive right based on very long possession, would appear to be clearly against them.

Mr. Holme argues that the doctrine of prescriptive right is not applicable in a State like Mewar; that the idea of a jagirdar being entitled to claim lawful ownership as the result of a long possession, not based on any valid authority from the Head of the State is foreign to the conceptions prevailing in a State like Udaipur; that the Durbar are entitled to resume their rights at any time, no matter how long an unfawful possession of such rights may have been exercised against them by a subject of the State, whenever they may discover the fact of such unlawful possession.

It is no doubt true that the doctrine of prescriptive right is less sacred in Rajput States than it is in the eyes of the British law, and that acts which would

be regarded as grossly arbitrary in British territory are treated as a legitimate exercise of power and are acquiesced in by the people, when done by a Durbar. But in the present case the argument about discovery of unlawful possession is not properly applicable. The Durbar have not been ignorant of the jagirdar's possession over the Run lands below their villages. On the contrary, there have been various proceedings in the past which show that the Durbar had full knowledge of the situation. The Maecture Sarari boundary dispute concerning Run lands between khalsa and Jagir villages has been settled by their own boundary officer (and this is I believe the reason why this area has been allowed to remain in the jagirdars' possession); the jagirdars have been called on to contribute to the expenses of repairs to the Jaisamand dam; the survey and record of Sambat 1932 showed that the jagirdars were in possession of Run lands below their villages and no question was then raised as to their rights. I think there can be little doubt that the Durbar in claiming the entire Run of the Jaisamand lake, are not merely endeavouring to resume rights which had slipped from their grasp without their knowledge, but are setting up a new claim, inconsistent with the attitude which they have themselves taken in the past, prior to A. D. 1907 or 1908.

I cannot on the whole feel satisfied that the order of the Durbar so far as it affects Run lands lying below villages which are admittedly in the Salumbar patta, is just to the petitioner. Moreover I do not think that the orders passed are wise. The case concerns the relation between the Mewar Durbar and one of its principal Sirdars; and is therefore being watched with close interest and anxiety by the whole body of Thakurs in Mewar. It would have been politic for the Durbar having gained its point in the Matampursi question, to accord more generous treatment to the Rawat of Salumbar in the matter of the Jaisamand Rund: and had I been in India in 1909 I should have felt justified in asking His Highness the Maharana to postpone the issue of the orders that were passed in August of that year until the whole question had been further considered and threshed out.

5. But, while these are my views, I feel that the case is one in which it is now extremely difficult and probably undesirable to intervene. The Maharana has taken no step throughout the case except after full consultation with the Resident; his attitude throughout has been perfectly frank and quite irreproachable. The line taken by the Political Officers in 1909 supporting the orders proposed by the Maharana and actually issued in August of that year had the full approval of the officiating Agent to the Governor-General. Any attempt to get those orders rescinded or modified at the present stage would certainly generate distrust and resentment in the mind of His Highness; and might possibly create a situation more difficult to manage than that which at present exists. I feel however that it is desirable that the Government of India should be made acquainted with the circumstances of this case. I propose to reply to the Rawat of Salumbar that I am unable to interfere on his behalf in this matter. The Rawat has forwarded with this memorial four others, of similar size and description, regarding (1) Judicial powers and jurisdiction, (ii) Customs and salt compensation, (iii) certain charitable Maefi villages and (iv) certain miscellaneous rights and privileges. How far these grievances are based on substantial foundations I have not yet been able ascertain, but I propose to direct the Resident to urge His Highness the Maharana to treat the Rawat with every consideration in disposing of these petitions, so far as that may appear to be just and proper. I trust that it may not be necessary to trouble the Government of India at all in connection with these four other memorials.

14

No. 1064-I. A., dated Simla, the 24th May 1911.

From—Major S. B. PATTERSON, I.A., Assistant Secretary to the Government of India in the Foreign Department,

To—The Hon'ble Mr. E. G. COLVIN, C.S.I., Agent to the Governor-General, Rajputana.

I am directed to acknowledge the receipt of your letter No. 65-P., dated the 9th May 1911, forwarding a memorial from the Rawat of Salumbar in Mewar claiming the entire Run lands

Serial No. 13.

of the Jaisamand lake as being included in his patta.

2. You are of opinion that the orders issued by the Udaipur Darbar resuming the entire Run lands over which the Rawat of Salumbar and other Jagirdars have hitherto exercised proprietary rights were neither just and politic nor the best that could be devised, but you observe that as the orders in question were promulgated by the Mewar Darbar after consultation with the Resident and with the approval of the then officiating Agent to the Governor-General any attempt to get them rescinded or modified at the present stage would generate distrust and resentment in the mind of His Highness; and might possibly create a situation more difficult to manage than that which at present exists. In the circumstances, you propose to inform the Rawat that you are unable to interfere on his behalf in the matter.

3. In reply I am to say that the Government of India accept your conclusions, but consider that the Mewar Darbar, in resuming the entire lands, have shown some want of consideration. Your further proposal to direct the Resident in Mewar to urge His Highness the Maharana to treat the Rawat with every consideration in disposing of the four other memorials which he has submitted, so far as that advice may appear to be just and proper, is approved.

15

No. 102-P., dated Abu, the 7th June 1911 (Confidential).

From—R. E. HOLLAND, Esq., First Assistant to the Agent to the Governor-General, Rajputana,

To—The Resident, Mewar.

With reference to correspondence ending with Mr. Holme's endorsement No. 374, dated the 1st December 1910, forwarding a report on the representations submitted by the Rawat of Salumbar in regard to the matters in dispute between him and the Mewar Darbar, I am directed to enclose for your information a copy of the correspondence noted on the margin that has taken place between the Hon'ble the Agent to the Governor-General and the Government of India on the subject.

Serial No. 12.
1. Letter* No. 65-P., dated 9th May 1911, to the Government of India, Foreign Department.
2. Letter† No. 669-I.A., dated the 24th May 1911, from the Government of India.

* Serial No. 13.
† Serial No. 14.

2. I am to request that the Rawat of Salumbar may be informed that the Agent to the Governor-General is unable to interfere on his behalf in the matter of his claim in respect to the Jaisamand Rund, and that you will also inform the Mewar Darbar to the same effect adding that the Government of India consider that in resuming the entire lands the Darbar have shown some want of consideration.

3. As regards the four other memorials of the Rawat I am to say that the question of the action to be taken with reference to them will be discussed during the Agent to the Governor-General's approaching visit to Udaipur.

16

No. 8-C. B., dated Udaipur, the 6th January 1912 (Confidential).

From—LIEUTENANT-COLONEL J. L. KAYE, I.A., Resident, Mewar,

To—W. H. J. WILKINSON, Esq., I.C.S., First Assistant to the Hon'ble the Agent to the Governor-General, Rajputana.

With reference to Mr. Holland's confidential letter No. 102-P., dated the 7th June 1911,

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I have the honour to forward, for the information of the Hon'ble the Agent to the Governor-General and such action as may be considered necessary, a letter, in original, No. 13, dated the 30th December 1911 addressed by Rawat Onar Singhji of Salumbar to the Hon'ble Sir Elliot Colvin on the subject of the resumption by the Mewar Darbar of certain lands in the Run of the Jaisamand lake.

2. The letter asks for a reconsideration of the orders contained in Mr. Holland's letter, referred to, in accordance with which the Rawat of Salumbar was informed that the Hon'ble the Governor-General's Agent is unable to interfere on his behalf in respect to the Jaisamand Rund and suggests that should the Rawat fail to obtain a reconsideration of the orders he may

be given a copy of the orders passed on his representation on the subject to enable him to appeal to the Government of India.

3. I would propose that I be authorised to inform Rawat Onar Singhji that the matter has already been under the consideration of the Government of India and that the orders of the Hon'ble the Agent to the Governor-General communicated to him by me were based on those issued in the case by the Government of India.

No. 13, dated Udaipur, the 20th December 1911.

From—RAWAT ONAR SINGH of Salumbar,

To—The First Assistant to the Agent to the Governor-General, Rajputana.

I beg respectfully to invite your honor's kind reference to the Thikana Representation, Part I, regarding the Jaisamand Rund, submitted to your honor with my letter dated 8th January 1910.

The said Representation remained under your honor's consideration for full one and a half year, during which period I entertained the hope that my claims would receive favourable consideration. As my ill luck would have it, I was informed on the 14th of June 1911, through the Resident Mewar, that the Hon'ble the Agent to the Governor-General would not interfere in my claims against the Mewar Darbar.

I therefore by my letters dated 22nd July 1911, again submitted that the rights claimed by me were those that have from time to time been defined and formulated by the mediation of British Officers through Agreements and Assurances and thus my case was such as seemed to require your honor's interference.

On the occasion of your visit to Udaipur on the 12th November 1911, when I had the pleasure to wait upon your honor, you were pleased to order that though my possession of the Jaisamand Rund was of long standing yet since the Darbar had resumed the Run I should keep patience since you would not deign to interfere. In reply I had submitted that when your honor was not going to interfere the only alternative left to me would be to seek comfort in patience. But I would request your honor to consider how I am to put up with the heavy loss which ruins my 20 villages and which deprives me for no reason and for no fault of mine, of revenue amounting to nearly R25,000 a year, a loss which is the more galling that no reason has been given in explanation of the State's procedure in resuming the land.

I, therefore, in conclusion, humbly request your honor to reconsider the decision not to interfere in my behalf in the matter of the Jaisamand Rund or in the event of this request being denied, that I may be granted a formal copy of your honor's decision to enable me to represent my case, if so advised, to higher authority.

17

No. 69-P., dated Camp, the 26th January 1912 (Confidential).

From—W. H. J. WILKINSON, Esq., I.C.S., First Assistant to the Hon'ble the Agent to the Governor-General, Rajputana,

To—The Resident, Mewar.

I am directed to acknowledge the receipt of your letter No. 8-C. B., dated the 6th January 1912, forwarding a letter No. 13, dated the 20th December 1911, from

Rawat Onar Singh of Salumbar on the subject of the resumption by the Mewar Darbar of certain lands in the Run of the Jaisamand lake.

2. The Agent to the Governor-General regrets that he is unable to reconsider the orders which have been communicated to the Rawat and I am to request that in replying to the Rawat as proposed in paragraph 3 of your letter under reply you will inform him accordingly.

132 A. to G. G. Raj.

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No. 364, dated Udaipur, the 2nd December 1912.

From—LIEUTENANT-COLONEL J. L. KAYE, I.A., Resident, Mewar,

To—W. H. J. WILKINSON, Esq., I.C.S., First Assistant to the Hon'ble the Agent to the Governor-General, Rajputana.

As provided in the rules, regarding the submission of memorials, etc., addressed to the Government of India, published for observance, under the Notification of the Government of India in the Foreign Department, No. 1606-G., dated the 29th July 1910, of which a copy was forwarded, for information, with the endorsement from your office No. 580-P. O., dated the 19th August 1910, I have the honor to forward, for the consideration of the Hon'ble the Agent to the Governor-General, and such action as he may deem necessary, a copy of a letter No. 3, dated the 5th November 1912, addressed to me by Rawat Onar Singh of Salumbar in Mewar, enclosing, for transmission to His Excellency the Viceroy and Governor-General of India, an appeal, and connected papers, against the order of the Local Government refusing to interfere with the order of His Highness the Maharana of Udaipur whereby the lands, inundated by the waters of the Dhebar or Jaisamand lake and known as the Run of that lake which for many

* With seven spare copies.

years were in the occupation of the memorialist were resumed by the Mewar Darbar, and its enclosures* in original.

2. The memorial is in order as far as its form is concerned : but may, at the discretion of the Hon'ble the Agent to the Governor-General, be withheld under the provisions of Rule 7 (3) of the Memorial Rules alluded to, in as much as the order appealed against is a mere refusal by the Local Government to interfere in a matter of purely internal policy with the action and orders of His Highness the Maharana of Udaipur, the Ruler of the State of which the memorialist is a subject and in which State it is not customary for the British Government to intervene in matters of internal policy, while the matter complained of cannot be said to disclose a state of misrule *so gross* that the Paramount Power seems called upon to interfere.

3. The case is, as the Hon'ble Sir Elliot Colvin is aware, an important one from a political point of view, in as much as the order of the Mewar Darbar, against which the appeal is directed, has been the subject of much comment by the leading Sardars of Mewar. The memorialist, moreover, claims that in such matters it has been the practice of the Government of India in the past to intervene between the Ruler of Mewar and the leading Sardars of the State and puts forward a strong claim that his possession and occupation of the land in question was specifically assured and guaranteed to him by the representative of the Paramount Power, videlicet the Political Agent in Mewar, as stated in Captain Cobbe's letter to Rawat Padam Singh of Salumbar dated the 15th Asoj Badi Sambat 1883 (1st October 1826 A.D.) by the words "and the Run of Dhebar shall, as ever, be perpetuated to you."

4. In view of the fact that the Hon'ble Sir Elliot Colvin, in his letter to the Government of India in the Foreign Department† No. 65-P., dated the 9th May 1911, has already expressed his opinion on the merits of the appeal, in regard to which no fresh grounds for reconsideration of

Serial No. 13.

† Copy forwarded with the letter from your office No. 102-P., dated the 7th June 1911.

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the orders passed have been set forth, I am precluded from expressing any opinion of the merits of the case, which has previously received the consideration of my predecessors in this office Messrs. Hill and Holme, whose views in regard thereto were duly communicated to the Hon'ble the Agent to the Governor-General.

No. 3, dated the 5th November 1912.

From—RAWAT ONAR SINGH of Salumbar, Mewar,

To—LIEUTENANT-COLONEL J. L. KAYE, I. A., Resident, Mewar.

In enclosing the accompanying appeal to His Excellency the Viceroy against the orders of the Hon'ble the Agent to the Governor-General in Rajputana, and 'Parts' (i.e., Parts I, II, III, IV and V) I beg respectfully to kindly send them on.

The humble memorial of RAWAT ONAR SINGH, Chief of Salumbar Thikana Udaipur, Mewar, to His Excellency the Right Hon'ble CHARLES ARON HARDINGE of Lonshurst, P.C., G.C.M., G.M.S.I., G.C.M.G., G.M.I.E., G.C.V.O., I.S.O., Viceroy and Governor-General of India.

SUBMITTETH.

Your memorialist seeks Your Excellency's permission to briefly refer to his history and status in the Udaipur State before putting his grievances before you.

Salumbar is a town about 40 miles to the south of Udaipur State, it is the seat of your memorialist who is a feudatory Chief in Udaipur State and is commonly known as Salumbar Thikana.

A reference to the history of Salumbar would show that Salumbar was wrested by Rawat Kishan Dasji, ancestor of your memorialist from the Rathores in the middle of the fifteenth century and as such it was practically an independent acquisition. From that time to the present these villages have continued to render services and own subordination to the Thikana, of which numerous instances can be traced in the Thikana records.

Mr. Aitchison in his well known work "A collection of Treaties, Engagements and Sanads relating to India and neighbouring countries" (Volume IV, page 8), refers to Salumbar Thikana in the following words :—

"The greater number of feudatory chiefs are descendants of former Ranas. Of these the most important are the Choondawut Chiefs who are descended from Choonda and of whom the most important is the Rawat of Salumbar. This Choonda about the middle of the fourteenth century gave up his claim to the succession in favour of his younger brother Mokul reserving for himself the first place in the Council of State."

The Government edition of "the Chiefs and leading families in Rajputana" (1894 edition) describes your memorialist's history in the following words :—

"Rawat Jodh Singh (father of your memorialist) who holds the fourth place in the Durbar is a Sesodia Rajput and is perhaps the most important of the Mewar nobles. His Estate consists of 175 villages of the annual value of one lakh of rupee, etc."

"The history of Salumbar is an interesting reading and reminds every reader of Indian History of the noble and heroic self-sacrifice of Choondajee, the founder of the Salumbar House who voluntarily and cheerfully yielded his right to the Mewar succession in favour of his younger brother Mokuljee."

The compensation granted to Choondaji for the renunciation of his birth right found expression in the Raj Tilak (mark of inauguration) the Bhala (symbol of Salumbar) and the Bhanjgur (hereditary Premiership). That Salumbar has enjoyed the above privileges, which were well-merited rewards commemorating the everlasting gratitude of the then sovereign of Mewar up to the times of Maharana Sangram Singhji II (1716—1834 A. D.), will be proved by Appendix J, Parts I and II (submitted herewith) being extracts from Tod's "Annals," Brooke's "History of Mewar," Walter's "Provincial Gazetteer," Shower's "Missing Chapter of the Indian Mutiny", etc., etc.

Your memorialist would now lay before you his grievances and the facts in connection

Grievances.

with them. About six miles from Salumbar there is a big lake known by the name of 'Jaisamand' covering a considerable area. Bordering on the lake are situated 15 villages (names of which are given in Appendix P.—1 to P.—15, Part I) belonging to your memorialist whose residents have been, since the time of the erection of the lake in Sambat 1733 corresponding to 1683 A. D., cultivating the alluvial land known as 'Run' land accruing by the recession of the lake water; and this they have been doing without let or hindrance from the Udaipur State from generation to generation for at least two centuries. In Sambat 1962 corresponding to 1905 A.D., the State however began to lay claim to the "Run" land and has now taken possession of the whole of it.

Your memorialist made representations to the State for years without eliciting any definite reply and succeeded only in so far that the State made over the matter to the Boundary Settlement Officer though there was no dispute about boundaries. The latter officer made suggestion but the State did not see fit to act on them. Your memorialist then turned to the Resident in

in Meywar for protection as the action of the State has been causing him an annual loss of 25 thousand rupees. Mr. Hill the then Resident of Meywar gave a judgment in December 1907 a copy of which was not granted to your memorialist. That judgment purported to hold that neither the whole "Run" land belonged to your memorialist nor to the State, that the 'Run' land bordering the villages owned by your memorialist could not be taken over from his possession and that the Boundary Settlement Officer should demarcate the lands. The Boundary Settlement Officer was however not allowed to proceed by the State which forcibly obtained the possession of the whole 'Run' land. Your memorialist approached the Hon'ble the Agent to the Governor-General in Rajputana on the subject representing his grievances in five separate parts (submitted herewith), who after one and a half years' consideration intimated to the memorialist on the 14th June 1911 that he was not prepared to interfere (copy enclosed herewith, *Exhibit III*).

On your memorialist's second representation on the subject to the same officer and his asking for a copy of the judgment that officer replied to the same effect on 2nd February 1912 and did not supply him with a copy of his judgment.

Your memorialist now approaches you as the highest representative of the Paramount Power in the land to see that Justice and Law are vindicated. The subject is a most important one involving as it does a loss of Rs 25 thousand a year to your memorialist, besides the loss of all prestige and power. In cases of sheer injustice, people in the position of your memorialist are apt to look up to the British Government as Paramount Power for the redress of their grievances. It is needless for Your Excellency's memorialist to say here that implicit faith in the justice and equal treatment of all the people inhabiting this vast country is the strongest bulwark of the British Government. It is sometimes said that the British Government does not want to interfere with Native States in their relations with their Feudatory Chiefs to which your humble memorialist would most respectfully submit that if they (Feudatory Chiefs) are left to their fate and the British Government does not support the weak against the strong they will be trampled down and soon disappear. History amply testifies to the fact that in all cases of disputes between the Feudatories and the State the Government always interfered and the Agreements of 1818, 1823, 1826, 1827, A. D., are an eloquent testimony to that fact. In fact in the year 1823 Captain Cobbe the then Resident of the State guaranteed that the 'Run' land shall always remain in the possession of Salumbar Thikana if the Thikana agreed to make over Gingla out-post to the State. Thirty years after it so happened that Rawat Kesri Singhji the then Rawat of Salumbar wrested the said outpost from the possession of the State. *The then Resident Colonel Lawrance interfered and fined the Thikana Rs 1,000 (Ex. 1 enclosed). This is a concrete example of the interference of the British Government in the affairs of Salumbar Thikana particularly and in the relation of the State and its Feudatory Chiefs generally.* The precedents and the security of the States both require the interference of the Paramount Power where such interference is called for. It is evident that the Paramount Power has invariably interfered in cases where self-interest did not permit the State to adjust its relations with its kinsmen and where the State wanted to derogate from its grants or treat the kinsmen with scant justice. The various and ingenious methods devised by the State to coerce the Thikana expose the whole population of the Thikana to unsafety of all kinds causing all manners of annoyance. This attitude of the State has created in Salumbar a state of perfect helplessness and despair and so far no relief has come either from the Residency or the State. The British Government whenever there was need for it rose, in the affairs of the State and that of the Thikana to the height of its responsibility and some years ago your memorialist had to give up his dearly cherished right of the attendance of the Chief himself on the usual condolence visit at the time of the death of the late Rawat. In connection with this matter a full and thorough enquiry was made for a period of six or seven years (beginning from Sambat 1962 corresponding to 1905 A. D.) by the then Resident and your memorialist was required to abide by the decision thus arrived at. Thus a part of the dispute having been actually decided by the Government there is every reason that Your Excellency should solve the difficulty once for all and do justice to the memorialist.

To return to the grievances :--The question before Your Excellency is, whether the 'Run' land appertains to the villages which are situated along side the banks of lake 'Ja-amand' or whether while the villages belong to your memorialist admittedly and their residents have been

Matter in dispute.

cultivating the 'Run' land for centuries on behalf of your memorialist, the 'Run' land still belongs to the Durbar.

Your memorialist bases his claim to the 'Run' land on the following facts :—

1. Possession for more than two centuries and in proof of possession relies upon :—

(a) The letter of *Captain Cobbe* the Resident of Mewar of 1823 A. D., which confers the settlement of the 'Run' land upon your memorialist in the following words :—

"And the Run (alluvial) of Dhabar (Jaisamand) shall as ever be perpetuated to you. No departure will ever be made in this. No addition or reduction will ever be made in your villages." (See Appendix B, Part I).

(b) Account books for years past, which your memorialist has in his possession, showing that he has been in possession of the said land.

(c) The natural situation of the memorialist's villages near and adjoining and in the midst of the lake.

(d) Upon the letter of the State (Appendix P, Part I), in which the possession of your memorialist is admitted by the State.

(e) The khatonees (Field Books) of the villages bordering on the lake belonging to Salumbar, containing the situation of such of the area as was covered by water then comprising these villages. (Part I, Appendix P.-1 to P.-14 foot note marked in red ink Survey Statements). Those khatonees of your memorialist's villages were prepared by the State and they include the 'Run' land in the area of your memorialist's villages. (Vide Part I, Appendix P.-1 to P.-14, Field Book).

(f) In the matter of Sarari village bordering on the lake and belonging to your memorialist the State admitted the 'Run' land as appertaining to that village.

2. As to ownership your memorialist relies upon the Parwana granted to his predecessors by Maharana Amar Singhji of Udaipur in Sambat 1765 ; which entitles Salumbar to the possession of the whole 'Run' (Exhibit IV, enclosed).

In fact every Resident prior to Sambat 1962 (1905 A. D.) has admitted and the State never questioned the right of Salumbar to the whole 'Run' land.

Your memorialist would now give as briefly as possible the objections of the State, as to the ownership of the 'Run' land by your memorialist and the replies of your memorialist, as regards those objections, side by side to make it easily understandable.

Objection of the State.	Reply of the Thikana.
As to evidence of ownership mentioned in clause (2), page (4).	
(a) The State repudiates the Parwana of Rana Amar Singhjee dated Sambat 1768 as a forgery on the ground that the History of Mewar shows that the Salumbar Thikana was wrested from Rawat Raghonath Singhjee and was not restored to his son Rawat Ratan Singhjee or to his grandson Rawat Kandhalji. It was restored in the fourth generation from Raghonath Singh to Rawat Kesore Singhjee on the murder of the latter's father Kandhaljee and therefore Rawat Kandhalji could not make a representation as the Parwana goes to show.	<p>(a) That the History of Mewar upon which the alleged forgery is made to rest has no historical worth or sanctity about it.</p> <p>(i) As it is a record prepared under the directions of the Udaipur State to serve its own purposes.</p> <p>(ii) As it was never published and its authenticity has never been tested.</p> <p>(iii) As it is not the result of impartial and independent inquiry and has no value.</p>
	<p>Records coming out of independent custody and satisfactorily proved to have been written long before the dispute arose ; or history by independent historians can only carry weight. To quote one or two instances ; the "Rajvillas and Khumman Rasa" were either written or recasted in the reign of Maharana Raj Singhjee during whose reign it is said the Rawat Raghonath Singhjee was deposed. None of the above mentioned chronicles however corroborate the so called History of Mewar.</p>
	<p>Extracts from 'Rajvillas' and 'Khumman Rasa' dealing with the reign of Maharana Raj Singhjee (see Appendix H, Part I).</p>

Objection of the State.

Reply of the Thikana.

Moreover the following Shloka (couplet) inscribed on a slab at Rajsamand is the keynote of the Darbar's case against Salumbar in the matter of the 'Run':—

"Maharana Raj Singh installed Kesri Singh, the second son of Ram Chandra, son of the Bedla Rao Bulloo of the noble stock of Chohans, a second Rao of Salumbar."

This Shloka is the only data which has been worked up into the plausible story that Salumbar was given to Kesri Singh Chohan and the real masters of Salumbar were kept out of possession for three generations.

But in the first place the Shloka only means that Kesri Singh Chohan was created a peer of the Mewar State with rank and dignity equal to that of Salumbar. That this interpretation can not but be right is made clear by the fact that the House of Salumbar has from olden days been looked upon as a source of honour and dignity. See Parwana of Maharana Ari Singhjee to Sindhi Rahimbeg Adilbeg (Appendix I, Part I). As for the lapse of three generations in the possession of Salumbar there are no land-marks of the fact anywhere either in Salumbar itself or elsewhere. Had the Chohans kept possession over Salumbar for three generations then surely during this period their reign must have been marked by the erection of some building or temple, the gift of some land for charitable purposes the excavation of tanks or wells or the erection of cenotaphs over the names of those dying natural death or fallen in field similar to those of the Rathores which are to be traced in Salumbar up to this day. The State archives may have also been able to possess and produce many letters and petitions purporting to be from Chohans as Rawats of Salumbar to the address of the Darbar; at least the Darbar should have been able to produce some document showing that the Sesodia Rawats applied for and were ultimately restored the Thikana. In a word, the theory of the Udaipur State does not find corroboration from any source historical or archaeological.

Tods "*Annals and Antiquities of Rajasthan*," a history; which depended for its materials upon the old chronicles of the Charans and Bhats, viz., poems like the famous Rajvillas Khumman Rana, Raj Ratanakar and Jai Bilas, etc., records (Pages 315, Volume I, and 394 Volume II, Author's edition) that both Rawats Ratan Singh and Kandhal, in full enjoyment of the right vested in their House as hereditary leaders of the van in battles, were engaged as Rawats of Salumbar in various actions with the commanders of the Imperial forces of Aurangzeb under Prince Azam, etc. (*vide* extracts bearing the mark J, Part I).

Also in the disagreement which arose between Maharana Jai Singhji and his Heir-apparent Umar Singhji, in A. D. 1692, Rawat Kandhalji was exercising his privilege as the hereditary Bhanjgurra of the State, and his status at that time was regarded equal to that of his illustrious predecessor Choondaji. Moreover the Heir-apparent Umar Singhji was seeking a reconciliation with his father through Rawat Kandhalji. See abstracts of a few communications from Maharaj Kunwar Umar Singhji appended as (*Exhibit K*, Part I).

Objection of the State.	Reply of the Thikana.
<p>(b) That Salumbar villages are not the only ones bordering the lake Jaisamand. Other villages are also located on the borders of Jaisamand and therefore the whole 'Run' could not be granted to Salumbar and the Patta is not genuine.</p> <p>(c) That construction of the Jaisamand dam took place in the time of Maharana Jai Singhji between Sambat 1741-46 (1687-92 A. D.) and the said Maharana's reign lasted till Sambat 1755 (1698 A. D.) and therefore the alleged grant of the Parwana in Sambat 1765 (1708 A. D.) after Salumbar's patient forbearance for 20 years is far from being true; as a Parwana could be procured as soon as the dam was completed.</p> <p>(d) That the formation of 'Rajsamand' lake dates one generation anterior to the Jaisamand and yet its as well as Udaisagar's 'Runs' belong exclusively to the Khalsa and it is therefore in contravention of an established practice that the whole 'Run' in the Salumbar Patta should have been granted.</p>	<p>To sum, up, when Rawats Kandhalji and Ratan Singhji have been shown to be engaged against the leaders of the Imperial forces in active fight and exercising the duties of the hereditary arbitrator in the disputes between the Maharana and his Heir-apparent, when the Parwana of 'Run' has never before been called into question by the State and lastly, when the Thikana's possession and enjoyment over the 'Run' have continued unbroken for over two centuries; the present declaration of the Parwana as a forgery on flimsy and frivolous assumptions of the "<i>History of Mewar</i>" deserves Your Excellency's serious consideration.</p> <p>Even granting that the ancestors of your memorialist were ousted from Salumbar for three generations—though not at all correct—still we regained the possession in an opportune time. And no sane man would say that only the villages, meaning their houses, were restored to us and not the lands under them. Your memorialist and his ancestors have been in possession for over two centuries and such possession cannot be interfered with on the fallacious and frivolous argument of a deed of grant being fabricated. Even law recognizes the invulnerable sacredness of "<i>possession</i>" when it says: "<i>Possession is nine points in law.</i>"</p> <p>(b) That the other people whose villages also border on the Jaisamand are Biddessar and Kurabar, branches of Salumbar, whom these villages were given by Salumbar itself. No outsider or stranger owns any village on the borders of the lake (Please see Part I, pages 10-11, paragraph 32).</p> <p>(c) The answer to the argument that the patta is 20 years posterior to the date of the construction of the Jaisamand lake is, that a reference to any history of Mewar will bear testimony to the fact that the reign of Maharana Jey Singhji (1618 A. D. 1700 A. D.) was marked by continued warfare and hostility with the imperial invader; consequently in those days of constant unsafety of life and property things were not done so quickly as they are done now.</p> <p>Salumbar's quota of troops was engaged in action against the Moghal forces at Mandalgarh, Pur, and Chittor. Moreover the grant of patta depended upon the circumstances of the then Darbar's good will and changes of peace or war that prevailed at that period. Important cases even in modern times have taken a good quarter of a century to decide. Also the bed of so big a lake could not have been filled only in the course of a year or two. Therefore 20 years is not such a long time as to throw doubt upon the patta in question.</p> <p>(d) Since the 'Runs' of Rajsamand and Udaisagar belong to the Khalsa it does not follow that the 'Run' of Jaisamand can not belong to Salumbar when the latter's bed has been formed exclusively by the immersion of Salumbar land. The State should cite instances showing that in the construction of Rajsamand and Udaisagar the lands of a Jagirdar; having the same rank and possessing the same status as the house of Salumbar; were immersed and that he quietly renounced his claim to such lands without being compensated for the loss. Nay! even in the Rajsamand the lands of Bhana belong to Asind.</p>

Objection of the State.	Reply of the Thikana.
(e) That the Patta could not be genuine as it contains the dictum that no Dhons or forced labour would be imposed on Salumbar while as a matter of fact Salumbar has been always subjected to both.	(e) This Patta was granted in the time of Rawat Kesri Singhji just 200 years ago. From Choondaji to the time of Rawat Bhim Singhji Salumbar has exercised its hereditary function of chief arbitrator and adviser in all matters of the State, foreign and local. Reference to Colonel Tod, Captain Brooke Colonel Watter, etc., would show that Salumbar always remained the "master of the throne." Thus Dhons or a Khalsa could not have been sent without Salumbar's suffrage. Hence a Patta granted in accordance with the privileges and policy of that age can not in justice be deemed invalid simply because isolated instances of such impositions, forced upon the Thikana during minorities or unusually hard times can be pointed out.
(f) That besides the 'Run' question it contains other irrelevant matters also, for instance "Salumbar padhar lare lawine talwar bandha" while in Parwana granted by the State no such impertinent matters are inserted.	(f) There are no hard and fast rules for drafting a Patta. Herewith your memorialist adduces copy of a Patta granted to the Thikana by the present Maharana Sahib which deals with three or more subjects under (Appendix M, Part I).
(g) That some of the words as for instance mentioned in paragraph 6 of the Patta are peculiar to Salumbar and are not current and spoken of in Udaipur.	(g) Had the author of this criticism taken the trouble of looking into books like "Rajvillas" and "Khumman Rasa" the chronicles of those ages he would not have set so much store by this objection, unsound and untenable as it appears on the very face of it. For the extracts from those works and other inscriptions of those times (Appendix "N," Part I) will show that Gujrati words like 'Lawine' 'Dharawine' "Aim Kaim", etc., were used in the language of Mewar, current in the 17th century which to-day look anachronistic and out of date. Far from being derived from particular dialect of Salumbar these were part and parcel of the spoken language of Mewar at the time.
(h) That in Sambat 1923 (1866 A. D.) at the time of boundary dispute of Sarari and Mehturi no mention was made of the Parwana.	(h) For the first time, in Sambat 1906, Maharana Sarup Singhji had imposed a Khalsa (order of resumption) on Patan, etc., villages of Salumbar, in the 'Run,' and consequently the Thikana had to invoke the help of the then Political Officers. The plausible reason then advanced, by the State for this strange procedure on its part was Salumbar's so-called refusal to concede to a Boundary Settlement of Patan with Mehturi (a Khalsa village) (<i>vide</i> copy of an official reply received from the Residency, Mewar, appended as <i>Exhibit D</i> , Part I).
	Kesri Singhji, the then Rawat of Salumbar, deeming this Boundary Settlement; as desired and proposed by the State; as an undue infringement on the Thikana's time-honoured rights of ownership, refused to agree to the Settlement in question. As a consequence the sequestration by the State, which thus indirectly admitted the force of Salumbar's contentions.
	These cases were, however, revived by the State on the demise of Rawat Kesri Singhji in Sambat 1919. And in the consequent confusion that followed on the succession of Rawat Jodh Singhji to the Salumbar Thikana, the Thikana, thus weakened and prostrated, was compelled to get the boundary dispute of Sarari and Mehturi decided in the interval of Sambat 1923 and 1925, by Lala Jawala Prashad, State Amin; and another dispute Patan <i>versus</i> Mehturi at the hands of Munshi Khush Bakht Rai. The files and records of the above cases and their decisions are to be traced in the Mahkma Khas and their copies are appended herewith (<i>Exhibit E-1, E-2</i> , Part I).

Objection of the State.	Reply of the Thikana.
<p>(i) That if in the Sambat 1932 survey some portions of Salumbar lands remained submerged in the water the Thikana would have got the same surveyed and recorded by Sambat 1934 when the survey abstract was prepared.</p> <p>(j) That Captain Cobbe's letter produced on behalf of Salumbar in the Residency carries no weight as it was granted without full enquiries.</p>	<p>Even the above said Settlements, which the Thikana was obliged to agree to under extreme embarrassments, were made void in Sambat 1955, by removing the boundary pillars and by the creation of new disputes which had to be referred to the Boundary Settlement Officer for survey and settlement. The Boundary Settlement, consequently, demarcated and decided the boundaries of Maeturi and Sarari on the lines of the old Settlement of Sambat 1923, and permanently fixed the boundary lines by putting up new stones. If the whole 'Run' land were 'Khalsa' Colonel Pinhey the then Boundary Settlement Officer would have had no occasion for such a decision at all. Also in the other disputes after excluding those areas under actual enjoyment and possession, recorded a few pieces as <i>disputed</i> (lain mamnua) pending survey and settlement. (Please See copy of Boundary Settlement Orders bearing the letter F. Part I). Their full records can be had from the Boundary Settlement Office.</p> <p>(i) The answer is that this survey was never meant to be at all a decision of the jagirdar's rights in the 'Run' nor any notification was ever issued to the effect that all the land lying in the high water mark level was the Khalsa property. The only aim of the survey was, to all intents and purposes to measure the outlying lands in order to realise the cost of repairing the dam from such of the lands as derived benefit from the lake water. But as the Thikana was a loser in the matter owing to the permanent immersion of a major part of its lands it did not consent to defray its share of the repairing charges. Under the circumstances the Thikana's protest that the lands of its villages were under water is worthy of every credit.</p> <p>(j) It is very difficult for any one to reply to any such argument. There is absolutely no justification for the remark that Captain Cobbe's letter produced by your memorialist is not based on inquiries but is purely imaginative. Such an attack on an authentic document drawn by the then Resident a responsible official without anything to substantiate it hardly deserves serious consideration.</p>

Your memorialist trusts that in any case unbroken possession and enjoyment stretching over centuries would be found enough to outweigh all other considerations.

And Granting for argument's sake that the Khattri letter in question is invalid what possible grounds has the State to urge for repudiating the Agreement drawn by Colonel Tod (Appendix A, Part I), which is amply corroborated by Dr. Stratton in his State Gazetteer in the following words :—

“ One of the first acts of the Political Agent who was invested with full control was to draw up an Agreement between the Maharana and his Chiefs, whereby the latter pledged themselves to restore all the lands they had usurped or otherwise acquired during the last 50 years and in return were granted the maintenance of their rights and privileges. This was to restore territorial possession to the footing on which it stood in 1776, A. D.”

Your memorialist would now show what has been done by Salumbar to come to an amicable settlement of the disputed points that had cropped up. It would appear from this representation that Salumbar has not been the aggressor. On the other hand the Mewar State has taken the lead. On the death of the late Rawatji the present Rawatji was entitled to the Talwar Bandhi and condolence visit formalities. There the State wanted to make a departure from the established custom of the Mewar Darbar himself going on such a visit, relying upon a solitary

and exceptional instance where the Maharaj Kunwar was so deputed. However it may be the Salumbar Thikana paved the way for future conciliation by not insisting on the visit of the Darbar and thus by waving an ancient privilege simply with a view to obtain the good will of the State. But what the State is doing in the matter of 'Run' is significant of its intentions to say nothing of other coercive measures of which there is a regular campaign going on against the Thikana. The State has quite unjustifiably with no show of reason or fairness been harassing your memorialist by depriving him of judicial powers and interference with his jurisdiction in Civil and Criminal matters in Salumbar Thikana (Part II) by suspending the payments of salt and custom compensation to the Thikana (Part III); by claiming title over villages intended for charitable purposes with the Salumbar Thikana (Part IV) by undue interference in certain time honoured rights and privileges enjoyed by the Thikana of irrigating villages (Part V) and all these rights have been dealt with by your memorialist in detail as also the infringements of them in separate parts, i.e., Parts I, II, III, IV and V, submitted herewith. Your memorialist may mention here that the State gave villages of equal value to Bidessar in compensation for the villages, located on the border of the lake, taken by it (State); but no compensation has been paid to Salumbar for its 15 villages. There is absolutely no justification why the same rule is not observed by the State towards your memorialist.

To sum up—Looking into the history of Salumbar two facts stand out prominently. The one is the stock of descent and the other its independent character in certain respects where it claims a privileged status and a separate jurisdiction. It is evident that Salumbar is a branch of the same tree as the Mewar Darbar himself and that Salumbar claims descent from the elder branch of the original family. The present possessions of the Salumbar represent acquisitions of the Salumbar ancestors by independent conquest. This distinction becomes at once intelligible when we consider the fact that no tribute is paid by Salumbar.

Concluding remarks.—Forming as the 'Run' does one of the most productive parts of the Salumbar soil its diminution would effect the finances and will diminish its resources materially.

The claim put forward by the Thikana is sound both in law as well as in facts.

The original grants as well as confirmations of the same are contained in authoritative State documents stretching over a period of a couple of centuries now. There are also corroborative documentary records by impartial and responsible Political Officers. The State cannot in justice and equity repudiate ancient grants followed by actual physical possession by quoting historical and documentary records of doubtful date and authenticity.

Law recognises two things :—(1) either actual possession or (2) title, if not obsolete. Both these Salumbar has in its favour. To doubt and defeat ancient uninterrupted title and enjoyment on fanciful grounds would be introducing a very dangerous principle in State matters which would cut at the root of all security in land tenures whether feudal or otherwise. In Sambat 1932 (1876 A. D.) the State had admitted that the the alluvial soil between the Salumbar villages and water covered areas of Jaisamand belonged to Salumbar. Moreover the bed of the lake never belonged to the State. The bills of survey cost (touching the Run) have been recovered by the State from the Thikana. There are other minor evidences to prove that up till recently the State never questioned the Salumbar right over the 'Run.' The State is therefore at any rate now estopped from denying Salumbar title.

Similarly the State can not derogate from its grant however much the original grantee may have erred on the side of liberality, in handing over to Salumbar a vast and comprehensive grant. The Salumbar Thikana has paved the way for future conciliation by waving an ancient privilege simply with a view to obtain the good will of the State. The conduct of the State in the 'Run' question is far from conciliatory. So long as the case was with the settlement department something could have been expected but now as it has been withdrawn the probability is that the question will terminate by an administrative order, rather than by an impartial adjudication of the claim. In a word the State wants to give the 'Run' question a short shrift by simply declaring the grant dated Sambat 1765 MuhgSar Budi 2nd corresponding to 1709 A. D. a forgery.

The attitude of the Hon'ble the Agent to the Governor-General in Rajputana and that of the Resident only amounts to a refusal to lend Salumbar his support in the case.

This state of affairs has created in Salumbar a state of perfect helplessness and despair and so far no relief has come either from the Residency or the State.

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PRAYER.

Under the above circumstances the Thikana respectfully prays that :—

- (1) The Thikana's claim to the whole Jaisamand ' Rund ' should be revised and reconsidered and just and proper orders passed as to its ownership.
- (2) The attached produce of those areas which may be declared as belonging to your memorialist should be made over to the Thikana.
- (3) The Thikana lands in the catchment area and behind the dam should be allowed to be irrigated as of old.

And your memorialist shall as in duty bound ever pray.

EXHIBIT I.

Faithful translation of a Kharita from Colonel George St. Patrick Lawrence, Political Agent, Mewar, to Rawat Kesri Singh of Salumbar, dated Neemuch, 26th August 1856 A. D.

On the 19th July 1856 corresponding to Sawan Badi 13 Sambat 1913 a Kharita was sent to the Raj (Salumbar) with a copy of the report of the vakil Darbar in which an early reply was desired. No reply has yet been received from the Raj. But the Raj has sent Seth Ganesh Das Lakshmi Chand's receipt in the name of its Kamdar and in that receipt the Kamdar has written impertinent and disrespectful words. After the writing of the previous Kharita, I have heard from various sources that whatever has been stated by the vakil is true. It is very well known to the Raj that 20 years past the Raj's father ceded the Custom's collection of Gingla to Shri Maharana Sahib through Mr. Cobbe and the Agent, Mewar, and from that time up to the present it has formed part of Shri Darbar's Khalsa. In spite of all this the Raj knowingly turned out the kamdar of the Darbar and forcibly took it into its possession. An encroachment has thus been made on the rights of the Shri Darbar hence the Raj is herewith informed that on the receipt of this Kharita the Raj should at once withdraw its men from the outpost and make over to the Darbar's Kamdar all Custom's collection hitherto realised and deposited in Thikana. And for this conduct pay rupees one thousand as fine.

If the Raj will not obey this order the consequences will be bad for the Raj. Do not think that the Raj may do whatever it pleases without punishment.

EXHIBIT III.

From J. L. Kaye, I. A., Resident, Mewar, Residency, Udaipur, Rajputana, to Rawat Onar Singhji of Salumbar, Udaipur, dated Udaipur, the 14th June 1911.

With reference to the memorial entitled " Part I. Regarding the Jaisamand Rund " submitted by you to the Hon'ble the Agent to the Governor-General in Rajputana and subsequent representations on the same subject, I am desired by the Hon'ble the Agent to the Governor-General in Rajputana to inform you that he is unable to interfere on your behalf in the matter of your claim against the Meywar Darbar, in respect to the " Jaisamand Rund."

EXHIBIT IV.

A copy of the Parwana from Maharana Amar Singhji of Udaipur, to Rawat Kesri Singh of Salumbar, written by the Maharana's Order through Pancholi Damodar, dated Mangsar Sudi 2nd Sambat 1765.

(SPEAR MARK)

S A H I.

When the late Maharana began to dam the Jaisamand lake, Rawat Kandalji objected and requested him that his fore-fathers had lost their lives in acquiring Salumbar with all the villages; that it was was not good to violate the Patta of Sambat 1739, which he had granted him, when he put him on the throne of Salumbar and that all his villages would sink down under water. Thereon Shree Darbar ordered that the ' Run ' which would come out of the lake was granted

to him in lieu of his villages. Thenceforth after the completion of the embankment Rawat Khandalji enjoyed the produce of the 'Run' till Sambat 1751. In Sambat 1752 Rawat Khandalji died, on which occasion Shree Darbar went to Salumbar according to the privilege of the Thikana : brought the next Rawatji to Udaipur with him and performed the ceremony of the *Talwarbandi*. That year the produce of the 'Run' was confiscated and when you requested me to restore it back to you, order was given but the Parwana was not written. Now, after investigation in the matter, I grant you this Parwana which you have requested me for to this effect, that no confiscation or Dhons will be imposed on your villages and the 'Run' ; and that the curse of Shree Aiklanji will fall on him who will violate this Parwana.

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No. 57-C., dated Camp, the 25th January 1913.

From—W. H. J. WILKINSON, Esq., I.C.S., First Assistant to the Agent to the Governor-General, Rajputana,

To—The Resident, Mewar.

I am directed to acknowledge the receipt of your letter No. 364, dated the 2nd December 1912, forwarding for transmission to His Excellency the Viceroy

and Governor-General of India a memorial from the Rawat Salumbar in the matter of the dispute about the ownership of the Rund of the Jaisamand lake.

2. I am to request that the petitioner may be informed that the circumstances of the whole case have already been before the Government of India and that as the memorial brings to notice no new point of argument which has not been considered before, it has been withheld.

Encl.—A. K. D.

SGPI—M—132 AtoGGRaj.—20-9-21—5.



